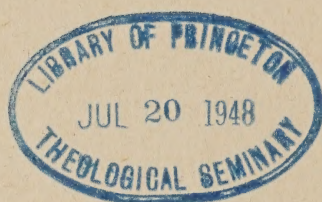


# A HANDBOOK OF JUDAISM

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MEYER WAXMAN





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A handbook of Judaism









**A HANDBOOK OF JUDAISM**

**AS PROFESSED AND PRACTICED  
THROUGH THE AGES**





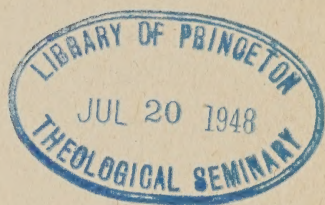
# A HANDBOOK OF JUDAISM

## AS PROFESSED AND PRACTICED THROUGH THE AGES

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BY  
MEYER WAXMAN, Ph.D.

Author of  
*A History of Jewish Literature*



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TO THE SACRED MEMORY

OF

*millions of Jewish martyrs in our own day  
to whom the practices and beliefs here  
presented were the breath of life,  
this volume is reverently dedicated*





## PREFACE

Long ago, the author of Ecclesiastes complained that "of making many books there is no end." We, in our time, can undoubtedly repeat this plaint with greater force and justice. The production of a new book on Judaism, a subject which has been treated in many works, therefore perhaps requires explanation.

The author feels that in this period of Jewish history, when Jewish life and Jewish thought are undergoing many changes, it is desirable to provide a succinct statement of the traditional Jewish pattern of life and thought for the average Jew, and the non-Jew as well. Such a formulation may serve, at the least, as a backdrop against which the varied patterns of our own day may be viewed. It is true that there are many works on the subject of Jewish religion, but the author believes they fail to meet this need.

Most of the works in the field are elementary in their treatment and limited in their scope. The frequent use of the words "customs and ceremonies" as a book title is, perhaps, sufficient to indicate the fact that many of the works have failed to treat the subject in a fundamental manner. To the Jews of the past, and to a large number, perhaps still a majority, of the Jews of our day, observance of the Sabbath, of the festivals, the prayers were, and are, the web and woof of an integral mode of Jewish life and belief, rather than a series of "customs and ceremonies." To consign these vital elements of Jewish life to the realm of sociology and anthropology is to ignore the hallowed role they have held in our lengthy tradition.

Similarly, many of the works in the field are over-narrow in their approach. By and large, they tend to ignore the doctrinal part of Judaism. The views of Judaism on God,

man, life, and the world are either omitted or cursorily treated. This is a fundamental failing, for it is impossible, both in terms of Jewish religious history and in terms of logic, to divorce observances from their intimate relation to the Jewish view of the cosmos. The work of Michael Friedlander is, of course, free from this stricture. But, on the other hand, it suffers from a rather antiquated and cumbersome organization and presentation of the material.

There is, in addition, another class of books on the subject of Judaism whose value is limited by a partisan approach. Whether they be written from a conservative, reform, or reconstructionist point of view, all representing deviations from the standard type of Judaism, they tend to mirror the views of their writers and their groups. Inevitably, these works make selection from the great body of Jewish religious material and emphasize the aspects which most closely conform to their point of view. Perforce, too, other phases of importance are glossed over or omitted. On the whole, the note of apology rings in these books.

The author, however, has sought to avoid writing as a partisan. He has attempted rather to present the point of view mirrored in the long history of Judaism as it is imbedded in the sources to which all works must resort. If the result is rather close to the orthodox viewpoint, it is because the bulk of Jewish history and the sources themselves point in that direction. There is here no attempt at apology or justification of a point of view. The material presented is based upon the sources and every detail can be corroborated by statements from the great authorities of our tradition.

It is to be noted, however, that while this work lays claim to all-embracing scope and is entitled *A Handbook of Judaism* the term Judaism is used with reservations. It is limited to daily aspects of Jewish life, both of the individual and of the group. It omits certain other phases of Jewish life. Judaism, as is well known, also includes a system of civil, criminal, and social laws, as well as other regulations bearing upon life in a body politic. These were omitted because they are



not, and cannot, be observed in a diaspora. Within its somewhat limited sphere, however, this book has sought to present every aspect of law and practice and to describe them with sufficient detail.

The word sufficient is used designedly, for after all the work is not a code and details which belong to scholars and rabbis have no place in it. The doctrinal aspect is likewise limited to such views and beliefs as are fundamental and inherent in the very essence of Judaism and have formed, and still form, an integral part of the religious consciousness of the Jew professing his religion in its entirety. The treatment is confined to the presentation of the broad outlines of those views which have affected both belief and conduct. Details of the doctrines and the threads of connection between them and Jewish practice are not dealt with. Such details belong primarily to a work on Jewish ethics.

It was also thought necessary to open the work with a general statement upon the nature of Judaism, pointing out the uniqueness of its character as distinguished from other great religions, on the one hand, and its total integration with the fate and destiny of the Jewish people, on the other. Hence the introductory chapter "What is Judaism" seeks to emphasize that Judaism is a totality embracing all the variegated aspects of Jewish life.

The very title and the aim the author had in mind, namely, to present Judaism in the above-mentioned aspects to all intelligent men and women, Jews and non-Jews, who evince a desire for such knowledge, determine the character of the work. Efforts were made not to tire the reader and to avoid technicality and abstruseness. Notes, therefore, have been reduced to a minimum, Hebrew terms and phrases transliterated, and technical matters have been expounded in non-technical language.

It is the author's hope that this exposition will serve to enrich knowledge of Jewish religion and tradition and will offer a presentation of the normative way of Jewish life as it was believed and practiced through the ages.

## PREFACE

In conclusion the author wishes to acknowledge the service rendered by his son, Rabbi Mordecai Waxman, who read the manuscript and offered valuable suggestions.

MEYER WAXMAN

Chicago, June, 1947



## TABLE OF CONTENTS

Preface	vii
---------	-----

### INTRODUCTION

### WHAT IS JUDAISM

I General features	1
II The nature and character of Judaism	5

### PART I

### THE INSTITUTIONS OF JUDAISM

#### CHAPTER I

#### THE SABBATH

1. General characteristics. 2. The Sabbath as symbol of human equality and dignity. 3. Types of labor prohibited on the Sabbath. 4. Sabbath and human life. 5. Sanctification and distinction of the Sabbath (Kiddush and Habdalah). 6. Intellectual enjoyment.	27
---	----

#### CHAPTER II

#### THE FESTIVALS

7. Rosh ha-Shanah. 8. Day of Atonement. 9. Succot (The Feast of Tabernacles). 10. Hoshannah Rabba. 11. Shemini Azeret and Simhat Torah. 12. Passover. 13. Shabuot. 14. General rules covering the Festivals (Yomim Tobim). 15. Semi-holidays. 16. Rosh Hodesh. 17. Fifteenth of Shebat and Lag B'Omer. 18. Fasts and days of mourning. 19. The Jewish calendar.	42
---	----

#### CHAPTER III

#### INSTITUTION OF PRAYER

20. Introductory. 21. Week-day prayers. 22. Priestly benediction. 23. Afternoon and evening services. 24. The Kadish. 25. Sabbath and Rosh Hodesh services. 26. Festival liturgy. 27. The High Holiday services. 28. The reading of the Law. 29. Occasional prayers and benedictions. 30. The meal. 31. Zizit, Tefilin, and Mezuzah.	83
--	----

## CHAPTER IV

## DIETARY LAWS

32. Clean and unclean animals. 33. Preparation of kosher food. 34. Other dietary laws. 108

## CHAPTER V

## THE FAMILY AND ITS INSTITUTIONS

35. The place of the family in Judaism. 36. Marriage. 37. Prohibited alliances. 38. Minority and majority ages. 39. The marriage ceremony. 40. Marital life. 41. Divorce. 41a. Yibum (levirate marriage) and Halizah. 42. Duties of parents to children and vice versa. 43. Mourning. 113

## PART II

## THE PRINCIPAL VIEWS OF JUDAISM

## CHAPTER VI

## GOD AND THE WORLD

- A. God  
44. Conception of God. 45. Attributes.  
B. The World  
46. Creation. 47. Providence. 133

## CHAPTER VII

## MAN AND ISRAEL IN RELATION TO GOD

48. Man. 49. Israel. 50. Reward and punishment. 51. The Messiah and the Messianic age. 145

## CHAPTER VIII

## ETHICAL AND SOCIAL IDEALS

52. Teshubah (Repentance). 53. Torah. 54. Peace. 55. Labor. 166

## GLOSSARY

1. Oral law. 2. Halakah. 3. Agada. 4. Mishnah. 5. Tannaim.  
6. The Talmud. 7. Amoraim. 8. Midrashim (Tannaitic).  
9. Midrashim (Agadic). 10. Shulḥan Aruk. 182  
Index 191



## INTRODUCTION

# WHAT IS JUDAISM

## I

### GENERAL FEATURES

Many are the definitions of religion. To the average man, whether he is affiliated with the official institutions of the various religions or not, it means a belief in the existence of God, the Creator of the world, who exercises some kind of providence over the destiny of man and to whose will or commands he has to adjust himself. To the philosopher or theist who is traditionally minded, it implies a belief in, or assumption of, the existence of a first ultimate cause whose rationality is the source of the order and the system in the universe. To the more liberal modern thinker or the moderate humanist, the essence of religion consists in the desire of men to integrate and organize their personality as a whole, namely, to combine their emotions, impulses, sentiments, and ideas into a coherent unity. In the past, these thinkers argue, this unity was accomplished by positing the existence of an external power who acted as a guide in life and brought about that wholeness of character. In the present day, since the scientific outlook upon the world makes such beliefs impossible, unity can be attained by devotion to ideals and values which occupy an important place in human life. They admit, though, that this unity can best be attained by clinging, in a modified form, to the leading religious conceptions of the past, namely, by following the teachings of a great religious personality and even maintaining a relation to some cosmic factor the conception of which helps to develop the integrated personality. To the

complete humanist religion is entirely a human affair which needs, in view of the modern outlook upon the world and life, no support from external and supernatural forces, and consists solely in devotion to ideals, such as pursuit of truth, creation of beauty, and achievement of social amelioration.

The religious quality of such devotion inheres in the intensity and the whole-heartedness of feeling expressed therein and in the high value placed upon human good. Some poetically minded humanists recognize the importance of certain religious rites and ceremonies as symbols for human aspiration and advocate their retention, but all agree to the complete human character and nature of religion and dispense with all supernatural support in any form.

However, in spite of these various meanings and interpretations of religion which are now in vogue, the fact remains that it is the standard type of religious view, i.e., the one which looks upon religion as a manifold relation between God and man, which has exerted the greatest influence upon the destiny of man through the ages and is still the most prevalent in the life of humanity. It was this type of religion which served as the uniting cord in the complex of human life and activities almost from the very appearance of man on the face of the earth. As Bergson correctly stated, while art, literature, and all other expressions of the human spirit were not always factors in the life of man, religion was always with him, even in the very dawn of his life. It was this type of religion which followed man during the many millennia in which he struggled towards a constant betterment of his material position in the universe and a continuous expansion of his spiritual and intellectual powers. And it is this type of religion which, as said, is still dominant today, for while the various meanings and definitions of religion referred to are the share of individuals or of small groups, the great masses of all peoples on the earth are still swayed by the central group of ideas of the religions belonging to the standard type.

Since this type of religion was and is so intimately and integrally connected with human life in all its complexity and



variety, it follows that like life itself the conditions of its development were primarily of a social nature. While we cannot deny that religion in its higher forms includes also many functions aiming at the satisfaction of the spiritual needs of the individual, such as the desire for salvation or the mystic craving for uniting with the All or the Ultimate Power, yet it is very questionable whether religion could have developed in a state of human isolation. Wherever it made its appearance it was within a definite social group. Consequently, the various historical religions bear the marks of the life of the group in which they originated, both the marks of differentiation from that of other groups as well as of similarity, for since human nature is similar as well as different, it follows that both the life and the religion of the various groups should partake of both phases. Accordingly, we note that on the one hand, in the measure that the life of the various groups of humanity becomes more similar and common, religion or religions likewise share in this tendency and strive towards universality, while on the other hand, it is also clear that no religion can divest itself of its original character and attain complete universality. In fact, the two great religions, the daughters of Judaism, Christianity and Islam, claim that universality. Yet even these two religions which were adopted by many nations which possess various cultural patterns have not attained their goal, for the Christianity and Islam of each group professing them display considerable differences in character and conception from that of other groups.

Moreover, the success of these religions in becoming to a degree universal is primarily due to the fact that they came to the nations from the outside, and were not indigenous to their lives, and in reality, they never amalgamated thoroughly with the essence of the life of the various peoples and always retained somewhat of the nature of a superimposed religion upon a life and a culture of a different character. It is, of course, true that through the centuries these religions became a factor in the development of the life and culture of those who adopted them, but the underlying substratum of

the earlier culture continually projects itself into the later strata of their history. Otherwise we could not explain the numerous manifest contradictions between the teachings of these religions and the frequent grave aberrations from them in the conduct of these peoples.

The case is different with Judaism, which is a religion indigenous to a definite group and which developed with the group over the course of millennia. Though it is this religion which nursed within itself the kernels of universalism which were adopted by the other two religions, still it always retained and continues to retain that peculiar connection with the life and destiny of that people. As said, Judaism was the first to impart a universal aspect to religion, but that in no way affects its individual character permeated by the spirit of the people which professes it, for its universalism—as will be explained later—is of a peculiar stamp.

Furthermore, no religion of a people can consist of mere beliefs and sentiments. These may constitute the spiritual aspect of its soul. But like every soul, it must have a body in which it can clothe itself and become an efficient factor in life. This body consists of institutions and laws which contain rules of conduct and practice embracing a great part of the daily life of the devotee. The institutions and ceremonies supply vividness and dramatic force to the sentiments, aspirations, and beliefs, and help to solidify them into a concrete and stable part of human life. The frequent practice of religious rites not only serves as a symbol of the ideas and ideals which religion aims to inculcate but deepens their significance and integrates them into a solid mass which ultimately forms a layer of the very personality of the religious man.

From all that has been said, it follows that in order to evaluate Judaism, a religion which was so closely integrated for many centuries with the life of a people of a *sui generis* character, it is not enough to point to a certain number of principles and views as is often done and say this is Judaism. To grasp the meaning of Judaism, one has to survey the principal



stages of its development and its gradual growth through the constant interaction between it and the life and destiny of the people. This interaction was as heterogeneous as the life and vicissitudes of the Jewish people, for Judaism, in spite of its fundamental belief that it is of a divinely revealed character in a more or less complete form, is simultaneously a religion of life and of an essentially practical nature. Its purpose was to guide, shape, and mould the life of a group in its various manifestations. And as it discharged its function through the ages it was in turn affected, moulded, and shaped by that life as well as expanded and enlarged by the reception of many extraneous elements arising out of the variegated historical vicissitudes of the people. As a result the line of demarcation between religion and secular life in its manifold aspects was obliterated, and we can no longer distinguish between the elements which we usually label as distinctly religious and those we subsume under the name of national culture. Any attempted separation only results in an incomplete understanding of the essence of the complex phenomenon which we call Judaism. We therefore shall endeavor to present in the following chapter a conception of Judaism with a view to its wholeness as it was crystallized in the history of Israel.

## II

### THE NATURE AND CHARACTER OF JUDAISM

In attempting to present the essence of the nature and character of Judaism, an historical phenomenon three and one half millennia old which has saved the Jewish people from extinction and simultaneously has exerted considerable influence upon the course of civilization in general, one must draw his data primarily from its own sources. It is only its own traditions, recorded in its cherished and sacred writings, which have become part and parcel of the spiritual and mental outlook of the people of Israel upon the world and life, that can reveal to us its true nature. All other documents and sources, "finds" or discoveries upon which historians and critics build

up theories and hypotheses aiming to attribute to Judaism, in certain periods of its development, traits which are at variance with the traditions, are, to say the least, of doubtful worth.

We must remember that history together with the affiliated studies are not exact sciences the results of which can be verified by numerous experiments. Many of the historical theories, even if supported by archaeological finds and discoveries, are based on interpretations and suppositions, and as such always remain hypotheses and seldom attain certainty and even probability. Consequently all "finds" in excavations and archaeological discoveries cannot invalidate an indigenous tradition of a people.

Whatever parallels to the principal contribution of Judaism, namely, monotheism, Oriental scholars claim to find in records of other nations antedating its manifestation among the Jews, cannot in reality minimize the originality of that contribution. Neither the poems of Ichnaton to the sun-god extolled to exaggeration by the late Egyptologist, Breasted, nor the Babylonian hymns to Sin, the moon-god, adduced by the same scholar and by Hugo Gressman and others as a proof for the origin of monotheism elsewhere, rise above mere flashes of a conception of the Godhead somewhat higher than the ordinary polytheistic notions. Aton is still identified with the sun, which has greater power than the other numerous natural forces, nor is the conception of Sin expressed in the Babylonian hymns on a much higher plane. The best that can be said of these poems and hymns is that they represent glimpses on the part of some religious spirit into a higher realm of religion, usually designated as henotheism,<sup>1</sup> but do not approach monotheism. That these expressions were merely

<sup>1</sup> Henotheism is a term used by scholars to designate a state of religion intermediate between polytheism and monotheism, namely, when a people assigns supreme power to one God, usually its national God, while admitting the existence of other gods in a more or less subordinate position. The term was coined by Max Müller who himself gave to it at different times several meanings. Other scholars likewise introduced into it various nuances, but the above definition is the most general.—See Hastings' *Encyclopaedia of Religion and Ethics*, Vol. VIII, pp. 810b–811a.

occasional leaps into a more elevated stratum of spirituality and not an organized religious trend which exerted influence on the lives of the Egyptians and Babylonians can be seen from their ephemeral character. Ichnaton's reforms and views were like the fluttering of the passing wind and left no trace in the life and religion of Egypt, while the sentiments of Babylonian hymns were only the expressions of an individual priest and never attained recognition by larger groups.

The monotheism of Judaism not only presents a systematized and well-organized set of ideas, but is the very foundation of the life of the people, of its nationhood, and the spirit and power of its existence through the ages. In none of the passages of the Old Testament, even in those frequently designated as anthropomorphic and very often cited by scholars as proof for the incomplete conception of the Godhead in early periods of Jewish history, is monotheism really impaired. Only prejudice, conscious or unconscious, reads into them that meaning.<sup>2</sup> Nor can we leave unchallenged the various assertions made by numerous scholars that the creation idea was borrowed from Babylonian mythology.

It may be admitted that a detailed description of the creation of the world, an act which in its general conception is universal, should incorporate some features which find parallels in the religions of neighboring and related Semites, the parallels being expressed primarily in a phrase or a name. But the essence of the creation conception as well as its entire setting, as told in the Book of Genesis, is purely monothe-

<sup>2</sup> As an illustration of that prejudice we can cite the statement of Breasted. "The very name Yahveh, being a proper name like Apollo or Mercury, implied the existence of other gods with similar personal names; and in the first commandment that Yahveh laid upon the Israelites He Himself recognized the existence of other gods when he said: 'Thou shalt have no other gods before me'" (*Dawn of Conscience*, p. 352). The misinterpretation of the commandment is patent to every objective reader, for a lawgiver, speaking in the name of God to a people living in a world where the belief in many gods is the order of the day, could not use any other language, but warn them not to fall into the ordinary human habit and follow the ways of others by having other gods. Only by reading into these very plain words the preconceived notion could any such admission of the existence of other gods be wrung from them. As for the meaning of the name Yahveh see below.



istic, and stems from the very concept of the unity of the God-head. To the religious men in all times, God is not an abstract First Cause or a principle of motion, but a Being who is active and has a definite relation to the world and man. Consequently, it follows from the very concept of one God that the world is His handiwork. And since monotheism is the very foundation of Judaism, creation necessarily follows. In the entire story of creation, both in the first and second chapters of Genesis, there is no reference to other participants in that grand act,<sup>3</sup> nor is there any mention of any struggle with resisting forces, as is the case with other descriptions of creation in the literature of the Babylonians. There can therefore not be any authentic basis to the theory of borrowing or to the view that the story of creation in Genesis was composed under the influence of Babylonian creation myths.

Likewise there is a considerable lack of substantiation for the theories and views by almost all Biblical scholars who espouse the critical view that pure monotheism was attained by the Jews only in the 8th century B. C. E. through the influence of the Prophets. These theories popular among scholars—also many Jewish scholars—cannot claim either certainty or even probability. In fact, the very basis upon which they are founded, namely the documentary theory which broke up the Pentateuch into various sources composed at different dates much later than the one assumed by tradition, and shattered numerous sections and verses into fragments, has of late been discredited by many scholars. On the whole, there is noticeable a general trend towards a more conservative view regarding the composition of the Pentateuch, attributing to it an earlier date and more wholeness and unity of composition. However, the real weakness of the view which draws a dividing line in the history of Judaism recognizing in

<sup>3</sup> There is only one expression in the first version of the creation of man in Genesis I which is in the plural, verse 26, which reads: "And God said, 'Let us make man in our image and after Our likeness.'" But the usage of the plural in this verse is most likely a *pluralis majestatis*, for it is not repeated either in this version of the creation or in the second version of creation of man in the second chapter.

it two stages, the pre-Prophetic and the Prophetic, and designating the former as henotheistic and only the latter as monotheistic, consists in the fact that it contradicts the words and the content of the Prophets themselves as well as their action.

We are told in the First Book of Kings (XIX, 15) that after Elijah's sojourn at Mt. Horeb, he was told by God to go to Damascus and anoint Hazael as King of Aram. Whoever the compiler of the Book of Kings was,<sup>4</sup> he drew his material from earlier records, and there is no doubt that this story dates from the time of Elijah who lived in the first half of the 9th century. The antiquity of the content of this passage is proved by the fact that the events in connection with which the various commissions were given by God to Elijah before his translation are told again in the Second Book of Kings, Ch. VIII, 7-15 and Ch. IX, 7-9, though in the first instance the name of Elisha is substituted for Elijah. The mere positing of an act like this, namely, interference on the part of a Prophet in the most important political affair of a neighboring nation stronger than Israel, proves that the belief in a pure monotheism, i.e. in a God who rules the world and is as powerful in any part of it as in the land of Israel, was not only already centuries old in the days of Elijah but fundamental. Were the case otherwise, were that conception a mere evolution from henotheism to monotheism just taking place at the time of Elijah, such a commission would be unthinkable. A Prophet who had only recently reached such a religious notion would not have dared to undertake a mission like this, nor would such an act be recorded by any contemporary writer. And certainly we cannot attribute the story of the act to the later compiler or redactor as the injection of a later concept into an earlier time, for why should he invent an act which by its very character is unique in the entire history of the Old Testament? It has, as far as I know, no parallel in any other ancient literature. There are, of course, numerous hymns and

<sup>4</sup> According to the Talmud the compiler was Jeremiah (*Baba Batra*, 14b). The modern critical view differs little from the Talmudic inasmuch as it assumes that the compiler was a contemporary of Jeremiah and a follower of his school. See Driver, *Introduction to the Old Testament*, p. 190.

songs of praise in Egyptian and Babylonian literature where certain gods, whether Amon, Ra, Bel, Marduk, etc., are extolled because they gave victory to the arms of the respective kings who conquered kings and rulers of other nations, removed them from their thrones, and set others in their place. But in all these the god helps the arms of the worshippers and subdues the weaker god of the conquered nation. But nowhere are we told that such an act was performed by a messenger of a god in a neighboring country in peaceful times. And if we add to it the simplicity of the narrative which tells of the act in a matter-of-fact manner as an ordinary occurrence, we may conclude that such an attitude can stem only from a centuries-old conviction in the hearts of at least a large stratum of the people, that there is only one God in the universe whose command must be obeyed by all nations if He chooses to utter it.

Greater support for our thesis can be derived from the words and prophecies of Amos. He is considered by all Biblical scholars as the first of the great Prophets whose utterances were preserved and who, according to the scholars, were the original expounders of the doctrine of monotheism. He is also the first of the Prophets who injected the idea of exile <sup>5</sup> into Judaism and into the history of the Jews. In his warnings to his people to avoid sin and not to transgress the commandments of God, he threatens them with the dire punishment of exile. This threat is of great significance and a fact pregnant with importance to which little attention has thus far been paid by Biblical students. It is a unique phenomenon in the history of nations that a people or its leading spiritual representatives should dare think of such a fate. Every nation of antiquity indeed attributed to its god or gods the power to punish it in various ways by pestilence, drought, etc., but never thought of punishment by exile for two reasons. First, a limited and a national god has no power over any other na-

<sup>5</sup> It is true that exile and expulsion are mentioned in Leviticus XXVI, 33, and also in Deuteronomy XXVIII, 36. The critics, however, assign both of these books to later dates than Amos, Deuteronomy to the last quarter of the 7th century and Leviticus to the exilic or even post-exilic period.



tion to make it agree to the settlement of another people in its midst. Secondly, and which is more important, exile meant not only the punishment of the people but also of the god himself, for the moment the exiled god comes within the domain of another national god, he must be subjected to him. It is only a universal God who can decree exile for His people and not suffer by it.

Moreover, the concept of exile carries within it the idea of the extension of divine providence over the people in a foreign land and God's ability to exercise His power throughout the world. For the exile spoken of by Amos as well as by all the other Prophets never implies dissolution and assimilation of the people, but signifies only a temporary chastisement, and is constantly accompanied by promises of a return, even if that may be extended only to a remnant. Consequently, the idea of preservation in foreign lands by divine power follows necessarily from the utterances of chastisement by this and other Prophets to their people. We shall later see that the coupling of the two apparently contrary ideas, exile and return, exercised a powerful influence upon the development of the history of the Jewish people. For the present, we may draw from the statement of Amos, who was followed by the other Prophets regarding the exile and the return of the people, the plausible conclusion that monotheism in its pure form was not a novel idea attained ultimately by the Prophets, but was centuries old, known to wide circles in Israel as the very foundation of their religion. Otherwise, the threat would have been useless, for it would have been unintelligible to the people. That this was not the case is evident from the vehement protest of Amaziah, the High Priest of Beth-El, who sent to King Jeroboam the following message: "Amos hath conspired against thee in the midst of the House of Israel; the land is not able to bear his words. For thus Amos saith, 'Jeroboam shall die by the sword and Israel shall be exiled from his land'" (Amos VII, 10, 11). We note that he does not say that his words are baseless, but emphasizes the fact that they spread terror in the land, for people will be disheartened,

which shows that the belief in a universal God was widespread and age-old.

Though we have gone somewhat at length in the matter of deducing proof for the plausibility of Jewish tradition against current theories, it should be emphasized that the authenticity of the entire tradition was never doubted by the Jews nor does tradition show any inner contradiction, nor is the language in any place ambiguous regarding monotheism being the special heritage of the Jews. The Bible speaks explicitly in numerous places of the divine revelation at Sinai, and this event was never doubted even by the most liberal thinkers in Jewry, either by those who belonged to the body of the Jewish people or by those of the various sects which arose from time to time, such as the Sadducees in ancient times or the Karaites in the Middle Ages. Moreover, the divine origin of the Torah including the laws was established as a fundamental dogma of Judaism by all leading Jewish theologians, even by those who in their time were considered liberal and even radical, as Maimonides and others who followed him.<sup>6</sup> It is true that the philosophical theologians attempted to interpret certain features in the Sinaitic revelation as well as explain a number of laws in a more rational way than the literal meaning of the words convey. But these do not in any way throw doubt on revelation as a fact, nor on the view that the laws are divinely ordered, though they asserted that a number of them could be attained by human reason.

It is because the views of the critics, spoken of above, have become so popular in wide circles, both scholarly and non-scholarly, among Jews and non-Jews, and have even been in-

<sup>6</sup> Though Hasdai Crescas, a leading Jewish philosopher, and his disciple, Joseph Albo, an outstanding dogmatist, differ with Maimonides in regard to counting divine origin of the Torah among the fundamental dogmas of Judaism, yet the difference is only a formal and not an actual one, for they too consider both revelation and divine ordering of the law as elemental in faith, but they place them for certain reasons as necessary corollaries from other dogmas. See the writer's essay "Maimonides as a Dogmatist" in the *Year Book of the Central Conference of American Rabbis*, 1935, also his essay (in Hebrew) on "Albo's Theory of Dogmas in Judaism and its Relation to his Contemporaries Hasdai Crescas and Simon Duran" in *Hatekufah*, Vol. XXX-XXXI, pp. 712-745.

corporated in several Jewish histories, that the attempt has been made to prove on historical and logical grounds the plausibility of the tradition and to assert that its authenticity is by no means shattered by the evidence on which the critical and scientific views are based. The fact remains that of all the nations, including those of antiquity, whose attainment in material and secular culture greatly surpassed that of Israel, only this little nation on the shores of the Mediterranean emerging comparatively late from a nomadic state was the one which conceived the idea of monotheism in its present form and made it the very essence of its life and history. And simultaneously, it evolved laws and ideals which were out of time and place, the nobility of which nobody can deny, and many of which humanity cannot attain even now, millennia after the Prophets announced them. Neither environment nor contact with neighboring nations can explain these phenomena, nor even the type of prophecy among the Jews which is unique in the history of religion. As a result, we may say that if one finds it difficult to accept the doctrine of their supernatural origin, he will have to find a place for them within the frame of the natural and attribute them to natural revelation, whether in the form of special genius or otherwise, but they will still remain inexplicable.

We were trying to establish the veracity of the tradition even from the point of view of historical science, namely, that the firm belief in one universal God with all that follows from it was indigenous in Israel from the moment it stepped forth on the arena of history. But that does not mean that this idea in its purity became immediately the share of every Jew and that it did not pass through a period of struggle for the complete dominance of the life of the people. On the contrary, almost all the books of the Old Testament, the historical as well as the prophetic, testify to the bitter struggle monotheism had to wage during the entire period of the First Commonwealth in order to become the share of the people as a whole.

It was only natural that it should be thus. An idea like monotheism, even if divinely revealed, could only become



the firm conviction of the few and select, while the people as a whole could only have a vague idea of it. By its very nature monotheism, thrown into a world of polytheism, could only appear to the mass of a people, just emerging from a state of nomadism, as an ideal which they sincerely endeavored to attain, but from which they all too often fell short. It is little wonder that the Israelites, situated in an environment in which the religion was pagan, and its culture and civilization materially higher than theirs, and which possessed many attractive features appealing to the passions and physical appetites, constantly succumbed to the lure of the civilization of the neighbors. Hence the struggle and hence the swaying of the religious pendulum among the mass of the people between pure monotheism and one adulterated with pagan elements. It was left for the national catastrophe, the Exile, to accomplish the cure and make the religious heritage which was with them from the very beginning of their history the share of the entire people including even its lowest stratum.

Turning to the implications of the fundamental concept in Judaism, namely, the belief in one universal God as the factor in the life of the people which moulded its entire history and made it a people *sui generis*, we note the following. First, as stated above, out of the idea of one God, there follows as a corollary the creation of the world and man. For the very essence of God is activity, and since in addition all forces in nature are subservient to God, for He is the only all-powerful, it follows *eo ipso* that He is the Creator. Providence is another corollary, for a Creator is interested in His work, as the Psalmist says: "He that planted the ear, shall He not hear? He that formed the eye, shall He not see?" (Psalms XCIV, 9).

Likewise is the election of Israel a corollary of that fundamental concept, for when in a world of nations sunk in idolatry there rises only one small group possessing the unique idea of a universal God, it has full right to conclude that it was elected by divine providence for that task. This idea of election was strengthened by a subsidiary concept which is, that since all nations are essentially alike in the eyes of God—

for He is the Creator of man and Supervisor of nature and human activity—yet He chose to reveal Himself only to a small group. This group is then elected by His will. The nature and character of that election were determined by the following reason. The other nations are strong, powerful, and wealthy, while this elected nation suffers. The election could not be for power and material well being, but for a noble and moral purpose. There must also have been a cause for the election of this particular nation and tradition relates the cause. The ancestors of the nation were distinguished for their moral life, intense spirituality, and religious conception. Abraham, on whom, according to tradition, the exalted God idea in its full glory dawned first, was sorely tried time and again in order to test his sincerity, and he was not found wanting. Hence he was chosen as the father of that stock which was destined to be elected, as the Torah distinctly says: "For I know him that he will command his children and his household after him, and they shall keep the way of the Lord to do justice and judgment, that the Lord may bring upon Abraham that which He hath spoken of him" (Genesis XVIII, 19). Hence followed the covenants at Sinai and other places between God and the people.

Election for a moral and religious purpose requires that the elected shall lead a distinct type of life calculated to realize the purpose and demonstrate its value. This cannot be accomplished without a set of laws, precepts, and regulations, and hence the Law with its numerous particulars which embraces all phases of the life of the Jews. There are, undoubtedly, as mentioned, similarities in the laws with those of other nations at the time, but even these are, if not externally, at least inwardly, different in content and essence.

Again, a covenant implies a duty on the part of the one who accepts it to carry out its stipulations, and a neglect of that duty brings the necessary reprisals. Hence, we meet with constant threats of punishment, both in the Pentateuch proper and in the Prophetic books. One of these punishments was, as pointed out previously, a unique note in the history of nations,

namely, exile. It was this threat which cast its shadow upon the people early in its national life, which forms one of the principal factors in the subsequent tragic history of Israel and of Judaism.

The fact that Prophet after Prophet repeats this threat of exile together with the concurrent promise of restoration contributed to the formation of the peculiar character of the Jewish people through history, which displays two apparently contradictory phases yet seemed to have been simultaneously complementary. On the one hand, exile became a form of life in which the people not only managed to survive, but to which they managed to adjust themselves, and unlike other nations, which disappeared in foreign lands, thrived, and at times, even grew in strength. In other words, Israel made the conditions of its existence independent of land and boundaries. On the other hand, the hope for restoration to its former land and its striving to resettle there became an important factor in the existence and survival of Israel in the Diaspora. Thus we see that the life of the people presented the double aspect of being both dependent upon and independent of its former land. This unique phenomenon is inherently connected with several other ideas indigenous to Judaism which are in reality its substratum and source. The principal one is the idea of Messianism.

In that grand idea, which can be considered the second important Jewish contribution to the progress of humanity, there are to be noted two primary phases. In the earlier one, promulgated primarily by Isaiah, the restoration element is not in evidence, for the Jews at the time were still in their land, and exile was only foretold but not realized. It is an exalted vision of a future when all humanity will share the great religious ideals to which Judaism aspired and which it strove to realize in its own life, namely knowledge of God, justice, and righteousness, and consequently also peace, for when real justice dominates there is no cause for war. In other words, the divine selection of Israel for spiritual and moral purposes will extend to all nations. In fact, the original



selection itself also was not intended for the exaltation of Israel alone, but rather for the exaltation of all humanity through its instrumentality. The Messianic vision represents the projection of that aim.

But soon the exile of the Ten Tribes took place and it was only natural that the promised restoration which was always joined to the threat of exile should become an integral part and an important element of the Messianic vision. And thus even Isaiah himself, after he drew the grand vision of the ideal future, when justice supervised by the scion of the House of David will reign throughout the world, delivered a prophecy of restoration<sup>7</sup> which is primarily national and less ideal in its content, and was considered a preliminary step in the realization of the grand vision. He in turn was followed by other prophets. As time went on and exile also overtook Judah and it became a permanent feature in the life of the people, the prophecies of restoration expanded and the future was drawn not only as a mere restoration but as a glorious time for Israel, both in a spiritual and temporal way.<sup>8</sup>

Thus the two phases, the universal rise to a high spirituality and the glorious national restoration, were amalgamated in an idea of Messianism which persisted in Judaism without essential change through the ages. That there were currents within Jewish life during the Second Commonwealth which attempted to separate the two concepts with the resultant establishment of a new religion is well known.

As a corollary of these ideas there developed the idea of

<sup>7</sup> There is no need to attribute the verses 11-16 in Ch. XI of Isaiah to another and later Prophet as is done by most modern commentators. The chapters in the Prophetic books do not necessarily represent single prophecies. They may contain several short ones which were delivered at different times. These verses represent the content of a prophecy spoken after the exile of the Ten Tribes into Assyrian provinces and hence Elam and Shinnar are included among the places of the Diaspora. As for the mention of upper and lower Egypt as places of Jewish settlement, it is possible that there were already Jewish colonies there even in the time of Hezekiah. It is well known from Josephus that Psameticus, King of Egypt, in the time of Josiah had Jews as mercenary soldiers in his army. Why then can we not assume that Jews settled in Egypt a generation or two earlier?

<sup>8</sup> See Isaiah Chaps. LX, LXI, LXII, which probably belong to a later Prophet.

the eternity of Israel, which was not only emphasized by the Prophets but was shared by the people themselves. This idea helped to make the Jews a people whom exile does not impair, for they rested secure in the belief in a divine guarantee that not only will they be restored but that they are destined for a great role in the history of humanity, even if the time for that role is designated only indefinitely by the term "the end of days." Such a nation cannot disappear.

It is this group of ideas which laid its impress upon Judaism and which served Israel during its long history as a tower of strength. For though accepting exile and attempting to adjust itself to its conditions—the people never made a serious attempt until recent times to return to its land—yet the firm and convincing hope of restoration and vision of its glorious future made it look upon exile as a passing phase in its life. Extent of time did not matter, for was it not given eternity? Armed by this spiritual strength it survived all attacks and all attempts to destroy it.

From the foregoing sketch of the logical coherence of the ideas within Judaism, all stemming from the fundamental concept of monotheism and together forming a distinct view of the world and life, we can draw the following two conclusions. First, that there is really no break or rift in Judaism between the earlier and later periods of its history, as is often asserted by many scholars who see in it two distinct types, the Biblical and post-Biblical, or as some call it, Judaism proper. All these ideas, which were dominant in Judaism throughout its history and form its backbone, already received their full expression in Biblical times. If there is any difference between these two periods, and difference there is bound to be, for Judaism, like all historical phenomena, went through a process of development, it is a difference in degree and not in kind and essence, as will be shown shortly. Secondly, in Judaism there is really no separation between the elements which, in the life of other nations, are considered as part of religion proper, and those which we call national. As we have seen, the tradition of the people emphatically insists that the very

emergence of the group as a nation, the conquest of the land, its view of itself as a spiritually selected people, of its destiny in the future, its function in the history of humanity, its assured continued existence even in foreign lands, its very political and economic state laws, nay, even its military laws, all stem from divine acts or commandments. Unlike any other nation, it has no record of legislative assemblies or regal lawgivers, and furthermore, most of the laws are considered only as a means for the realization of that spiritual distinction embodied in the idea of selection. Nor were the few military heroes admired and honored in the memory of the people because of their physical prowess, but because of their being instruments in the hand of God to carry out definite purposes in the divine scheme of things. Even the greatest military king, David, who converted the small kingdom of Israel into a fair-sized empire, was honored by the later generations more as the "sweet singer of Israel," as the author of the Psalms, than the mighty conqueror and fearless leader on the battlefield.

Yet, though these phases already have their origin and expression in Biblical times, the full fruition of Judaism as a complete way of life, as an amalgam of religion and essence of nationhood, took place in the immediate post-Biblical period. It is then that Judaism reached its climax and became what it was during the millennia. The difference, as said, was one of degree, consisting primarily in the intensity and extent of the hold the complex group of these ideas, and especially the Law, had upon the life of the people.

We have already noted that Judaism in the Biblical period was engaged in a severe struggle to make its fundamental ideas the share of the mass of the people who were constantly lured away by the blandishments of foreign civilizations into pagan beliefs and practices. It stands to reason that the Law, namely, those precepts and commandments which appertain to other phases of life besides the socio-ethical, was not observed to a great extent by the people at large. But with the Exile, contrary to expectations, the situation was changed. The sojourn in a foreign land sobered the people and weaned



them from the allurements of paganism and brought about a clarification in the minds of the people of their conception of monotheism and the whole complex of ideas inherent in it. And since after the return, political life was reduced to a minimum, the people turned to the spiritual values in order to continue in integrity the role as a selected and distinct people. Of course, that change of emphasis was not accomplished without any struggle, as is evidenced by the activity of Ezra and Nehemiah, but after that was over, the process was completed. Henceforth, there was no more rebellion against the Law and its numerous details; on the contrary, there arose an insatiable desire to know more and more about the Law, to observe all its details, and if necessary, to expand it and add to it so that it might embrace all phases of life. As a result, the Torah became the constitution of the national life, and the scholars became legislators, and consequently, the amalgamation of religion and national life was complete.

True, as long as there was a political life of whatever proportions in existence, there were struggles against the completeness of amalgamation and the all-encompassiveness of Judaism. From time to time, there were outbursts of secularism and pure political tendencies. The Maccabees who, with great zeal and fortitude, entered an unequal struggle with the Syro-Greeks on behalf of religious freedom, ultimately became kings under whose rule the political aspect played an important role. There arose the party of the Sadducees which apparently had a more secular view of life. Yet there was no rebellion against the Law nor was there a rift between the religious and the national elements. The Maccabees were not only kings but simultaneously high priests; the Sadducees never rebelled against the Law and undoubtedly observed it zealously, but sought to circumscribe its area. The Pharisees never minimized the values of national life and were as zealous in the defense of their country as the Sadducees, but they championed a complete amalgamation in Judaism of religious and national elements. What is more, they transformed, in accordance with the spirit of the Torah itself, these national and

political tasks into religious duties and commandments of such degree that at times their performance took precedence over purely religious duties. As an instance we can cite the law, dating from Hasmonean times, which allows the waging of war, even an offensive one, on the Sabbath.

With the loss of the remnant of political life in the year 70 C. E. the circle of Judaism was widened and became all-inclusive. For almost two thousand years, the world witnessed a remarkable phenomenon, how Judaism, which is to all intents and purposes a religion, yet penetrated the deepest recesses of the life of a people and with its mantle of holiness covered every element of life, even the most secular and most ordinarily human, including the desire for settlement in the ancient home. It became a complex in which religion, race, and the memory of a distant land were so inextricably bound together that henceforth none could separate the elements. A people, scattered to the four winds of the world, yet lived constantly in the shadow of a former distant land. Not only does that land together with the historical phase form the very bases of the most important holidays of its calendar, but that land intruded itself in numerous ways in the life of the people and penetrated to its very heart. The people prayed regularly for rain in the fall and dew in the spring, not because it was needed by them; the rain would only have increased the mud in the crooked streets of the ghetto wherein they were confined, and the dew would have been of little value to the soil of the lands wherein they dwelt. Yet they did pray semi-annually for these gifts for the sake of the land wherein they had formerly dwelt, where these gifts in the proper season were of primary importance, prayed even though the soil did not belong to them and the accrued benefits were enjoyed by others. The people still thought of the land as theirs, possession by others and the law of conquest notwithstanding. Even such a secular element of culture as language was wrapped in the mantle of holiness, and Hebrew was for centuries known as *Leshon ha-Kodesh*, the holy language, and its use was considered by a number of Rabbis

a quasi-religious performance. There were numerous pious Jews who, in their desire to impart additional sanctity to the Sabbath, abstained from using on that day the ordinary vernacular and spoke only Hebrew.

It is superfluous to say that the integrity of the Jewish people, its existence, survival, and all that these imply in their numerous manifestations, were considered fundamental parts of Judaism. For is not Judaism the share and heritage of Israel, both the nation and the religion being interminably joined together as, to use a well known Rabbinic phrase, the flame and the light which it emits? Were the one to be extinguished, the other would also disappear. We can thus see how Jewish nationhood is inextricably bound with Judaism. Consequently, it follows that one who is a Jew by birth is *eo ipso* a sharer in the whole spiritual and cultural complex which we call Judaism, not only through physical laws of heredity, but from the religious and legal point of view as well. One born a Jew may repudiate that heritage and transgress most or all of the commandments of his religion, but Judaism does not repudiate him. He is, of course, considered a transgressor, but is to all intents and purposes a Jew and holds certain rights. Even conversion does not sever a Jew entirely from Judaism, for he still has some rights, such as the right of inheritance, unless deprived thereof by a special act of court.<sup>9</sup> Judaism has thus absorbed also the element of race, for though the tie of the individual to the group in which he was born is considered today a secular matter, Judaism superimposed upon it a religious bond.

It does not, however, follow from this that Judaism does not welcome proselytes. It accepts any one who wants to join the group and embrace its ideals, aspirations, laws, and is ready to suffer if necessary for their sake. It is felt that these will ultimately be absorbed in the House of Israel.

It was this unique character of Judaism which, as noted, is a complex of a number of phases in which the secular and the purely religious were so integrally amalgamated that no

<sup>9</sup> *Shulhan Aruk, Hoshen Mishpat, Sec. 281.*



separation can be successfully effected, which dominated the life of Israel for the larger part of its history, and laid its impress upon its numerous manifestations. Consequently, no one born a Jew can ever divest himself from Judaism entirely no matter how much he may strive to attain this complete emancipation, for much of the spirit of Judaism, physical tendencies, even abilities and inclination, come by heredity. This can be accomplished only by generations of total assimilation, a process in which the continual diminution of Jewish blood is an important factor.

However, the very variegated character of Judaism, in which phases originally of different nature are blended, encouraged attempts in modern times on the parts of groups of Jews to separate the elements, disregard some, and emphasize others at the expense of the former. The Reformists minimized the value of the Law, excluded the element of Jewish nationhood from Judaism,<sup>10</sup> and emphasized the ethical and a part of the religious aspect. On the other hand, there arose some who cling tenaciously to the national element in Judaism, emphasize the value of language and literature, and other elements which are more secular, but in the type of Judaism which they advocate the religious element has a strange flavor. In their attempt to reconstruct and to reevaluate, the laws are turned into mores and folkways, and the source from which there stem all the important and leading religious ideas, namely, the concept of the Godhead, is emptied of its content and turned into something indefinite, the function of which in life and history cannot be determined. Between these there are several other attempts to separate the elements in Judaism in greater or lesser degree. There is no doubt that the values these groups emphasize are parts of Judaism, but by no means has any one representative of any group the right to say, "This is Judaism." It may be the conception of Judaism of his group

<sup>10</sup> For a succinct but comprehensive account of the principle of Reform Judaism in its original pristine nature, see the author's work "A History of Jewish Literature," Vol. III. In the last two decades, however, a number of its leaders have changed their attitude towards nationalism, but this does not change its central position.

which, of course, will prove erroneous by the light of the Old Testament in its entirety—not by single quotations—the entire Talmudic, Rabbinic, and philosophic and theological literature, and above all, by that of the greater part of the long history of the Jewish people. Judaism is that which, as stated, contains all the elements in an integral form. It was thus through the ages and will undoubtedly continue to be in the future. With the rise of political life in Palestine and changed economic conditions, modifications in laws may become necessary and the position of the elements in Judaism may change, but the fundamental character of the all-embraciveness of Judaism will remain even if that character will only be the share of a part of the Jews.

PART I

THE INSTITUTIONS OF JUDAISM





## CHAPTER I

### THE SABBATH

#### 1. GENERAL CHARACTERISTICS

Of the many religious institutions established by Judaism, the Sabbath is the most important one. In fact, it is one of the principal contributions of the Jews to humanity at large. It is through the medium of the two great daughter-religions of Judaism that civilized nations the world over set aside one day a week as a day of rest, pleasure, and meditation. Even the highly civilized nations of antiquity, such as the Babylonians, the Egyptians, the Greeks, and the Romans, had no conception of a Sabbath. An attempt was made by an unfriendly non-Jewish scholar to deny the origin of the Sabbath and to derive it from a quasi-similar festival or days of rest of the Babylonians, but this theory was thoroughly refuted by almost all Semitists of authority.<sup>1</sup>

The Greeks and Romans were even hostile and antagonistic to the idea of a weekly day of rest. The Sabbath was the most frequent target of the quips and epigrams of the Roman poets and satirists. Characteristic of this attitude is the statement by the famous Stoic philosopher and moralist, Seneca, who says: "Jewish superstition, especially the Sabbath, is reprehensible, for by refusing to work every seventh day, they (the Jews)

<sup>1</sup> The Babylonian days of rest followed the four phases of the moon during the month, namely, the 7th, 14th, 21st, 28th, and consequently were not fixed at the end of the week but were changeable and took place on any day of the week. On the whole, they were considered evil days, and work was prohibited because the days were unlucky. They were days of fasting and propitiation rather than days of rest and joy. See Fr. Hommel, *Die altorientalischen Denkmäler und das alte Testament*, p. 18; also Hastings' *Encyclopaedia of Religion and Ethics*, article, Sabbath, Vol. X, 889-891.

lose a seventh part of their life in idleness, and many important matters are neglected.”<sup>2</sup>

The Jewish people cherished the Sabbath as the most precious gift of their religion, and the entire literature is filled with maxims and proverbs extolling its value and worth, several of which we will quote here: “With the arrival of the Sabbath, there arrives rest to the body and the soul” (Sanhedrin 38a). “On the Sabbath one experiences a sixtieth part of the pleasure prepared for the righteous in the world to come” (Berakot 56).<sup>3</sup> The famous modern essayist and social philosopher, Ahad ha-Am, said: “Much more than the Jews observed and preserved the Sabbath, the Sabbath preserved them.”

## 2. THE SABBATH AS SYMBOL OF HUMAN EQUALITY AND DIGNITY

The Torah offers two different reasons for the institution of the Sabbath. The first, as stated in the version of the Ten Commandments in Exodus (Exodus XX, 11), can be termed the cosmic, inasmuch as it emphasizes its connection with the creation of the world, saying: “For in six days the Lord made heaven and earth, the sea, and all that in them is, and resteth on the seventh day; wherefore the Lord blessed the Sabbath day and hallowed it.” The holiness of the Sabbath is, then, according to this version, primordial, hailing from creation. The Deuteronomy version offers an historical basis. “And remember that thou wast a servant in the land of Egypt, and that the Lord, thy God, brought thee out thence by a mighty hand and by a stretched-out arm; therefore, the Lord, thy God, commandeth thee to keep the Sabbath” (Deuteronomy V, 15). This verse implies that by resting on the Sabbath we recall the beginning of our history, the Exodus, for in Egypt we could not rest, as we were slaves and not free men.

<sup>2</sup> Quoted by Theodor Reinach in his *Texts d'auteurs Grecs et Romains relatifs au Judaïsme*, p. 362. The passage is found in a Ms. treatise on superstition by Seneca.

<sup>3</sup> On the meaning of the concept of the world to come, see Pt. II.



Without discussing the various theories advanced in explanation of the two reasons given for the observance of the Sabbath, we may note that both reasons presuppose an ideal substratum or a premise, that is, the value of man as man. Man is not to be lowered to the status of work-animals for whom time has one meaning without distinction. Man must rest in order to rise spiritually. Hence the Torah says more by way of a symbol—for it is impossible to take it literally, as the term rest does not apply to God—that even God rested upon completion of creation. And when man subjects his fellow-man, enslaving him and depriving him of his elemental right to rest, it is a sin against God as well as against the inmost nature of man. Hence, in order to emphasize the latter view of the Sabbath, God commanded us to observe the Sabbath so that we may remember the Exodus which freed us from bondage, for the destiny of man is to be free; and when, through political and social conditions, some are subjected by their fellow-men and are enslaved by them, then they possess at least one fundamental right which, by divine command, cannot be taken from them—the right to rest. This idea is embodied in the very words of the commandment concerning the Sabbath, which read: “But the seventh day is the Sabbath of the Lord, thy God; in it thou shalt not do any work, thou, nor thy son, nor thy daughter, nor thy man-servant, nor thy maid-servant, nor thine ox, nor thine ass, nor any of thy cattle, nor any stranger that is within thy gates, that thy man-servant and thy maid-servant may rest as well as thou” (Deuteronomy V, 14). Here we have a clear enunciation of the principle of the equality of all men no matter what their station in life may be. Men may differ, through conditions, as far as labor is concerned, but they are equal in regard to rest—this right belongs to all.<sup>4</sup>

<sup>4</sup> The rest enjoined for animals is based primarily on the fact that animals cannot work by themselves and their labor involves also the labor of men, and, of course, there is also the element of mercy. That equality is emphasized in the law of the Sabbath can be deduced from the fact that in the Deuteronomy version of the Decalogue the enjoinder of rest for servants is repeated at the end of the verse with the addition that “they may rest as well as thou.”

The Sabbath, then, is the primary source whence, through the ages, the idea of human equality was derived, an ideal for the attainment of which humanity has struggled for millennia.

### 3. TYPES OF LABOR PROHIBITED ON THE SABBATH

Since the essence of the Sabbath is rest, or, in other words, cessation from work—the verb *Shabat* means to cease—it follows that the observance of the Sabbath consists primarily in abstaining from work. In fact, the Torah enjoins Israel a number of times not to desecrate the Sabbath by performing any labor (Exodus XX, 10, XXIII, 12, XXXI, 15, XXXV, 2; Deuteronomy V, 14), and in two places (Exodus XXXI, 15 and XXXV, 2) it even prescribes the penalty of death for wilful and public desecration. But the question arises, what does the term *work* connote? The Torah is not explicit on that subject. It only mentions two instances of labor forbidden on the Sabbath, one directly, and the other, indirectly. The first is the prohibition against kindling fire on the Sabbath (Exodus XXXV, 3), and the second is a record of a man who was condemned to death for desecrating the Sabbath during a journey in the desert. The desecration is described by the ambiguous term *Mekoshesh Ezim*. The word *Mekoshesh* denotes to gather or to cord and also to splinter. There are, therefore, two opinions in the Talmud, one interpreting the term as splintering wood and the other as cording, both of which acts were considered prohibited. These instances are, of course, insufficient. The Oral Law, the function of which is to explain more explicitly what is implicitly contained in the Biblical injunctions, accordingly found a method of defining the term labor,<sup>5</sup> and, as a result, the Mishnah enumerates thirty-nine classes of labor which are prohibited on the Sabbath. The kind of labor which heads each class is called *Ab*, i.e., father

<sup>5</sup> The method is by analogy, namely, the term labor or *Melakah* is found in the description of the construction of the *Mishkan* (Tabernacle). There the term includes a certain number of labors without which the Tabernacle could not have been set up and equipped. That number consists of thirty-nine types or classes of labor. Hence it was concluded that the same term in regard to the Sabbath is similarly inclusive of the same number.

or head of family; the other labors included in the class are called *Toladot*, i.e., descendants. The members of the class possess an essential resemblance to the head, e.g., grinding is considered the head of a class, but the cutting of vegetables very fine—not to be used for food—is considered a descendant. All these labors are equally forbidden and if wilfully or publicly performed are severely punishable. The difference between *Ab* and *Toladah* exists only when labors are performed erroneously on the Sabbath either through ignorance or forgetfulness. In such cases, during Temple times, the sinner was obliged to bring a sin offering. The difference between *Ab* and *Toladah* was then evident; if one performed two labors, an *Ab* and a *Toladah*, he brought only one offering, while if they were both of the grade of *Ab*, he brought two.

The thirty-nine classes of labors, as enumerated in the Mishnah, bear the stamp of the simple industries prevalent in Biblical times, such as planting, sowing, reaping, cording, weaving, sewing, writing, building, and similar labors. But by analogy and similarity numerous types of labor can be included under these classes.

In addition to the thirty-nine classes prohibited by Biblical command and by the Rabbinic interpretation of the term "labor" in the Pentateuch, there are a number of lighter types of labor or even of quasi-labors which are prohibited by Rabbinical ordinances. The reason for their prohibition is that they constitute "a fence around the law," namely, were they permitted their performance would ultimately lead to the desecration of the Sabbath. The technical term for such prohibitions is *Shebut*, i.e., these labors are prohibited because they may result in breaking or disturbing the rest on the Sabbath.

We will cite a few examples of these types of labors: (1) It is forbidden to ride a horse or any other animal on the Sabbath even when the animals do not belong to the rider—the Torah itself enjoins rest for animals one owns—not because riding in itself constitutes labor, but because the rider may have to break off a branch from a tree in order to whip an obstreperous animal. (2) It is prohibited for a Jew to order



a Gentile to perform any work for him. Moreover, if the Gentile performs the task expressly on behalf of the Jew even without being asked, the Jew is prohibited from enjoying its fruits. (3) Doing business on the Sabbath, that is buying and selling merchandise, even when no labor is involved, is likewise prohibited. It is quite evident that in the enacting of these ordinances the Rabbis had an eye rather to the spirit than to the letter of the law, for some of these quasi-labors, such as buying and selling, violate the very intention of the Sabbath, which is to rest from all occupation aiming at material benefit or pursuit of gain. In regard to riding or traveling modern conditions undoubtedly invalidate the original reason for this prohibition, yet it is still observed and with justice, for once traveling is permitted on the Sabbath, it becomes difficult to draw the line between a journey for pure pleasure and one for the pursuit of gain. An institution like the Sabbath which aims at the elevation of human life cannot allow deviations based on subjective distinctions.

It is worthwhile to note that these prohibitions, though called Rabbinical, are not ordinances enacted by rigorous pietists, but have their roots deep in Jewish life, some having been observed even in Biblical times, for they arose from the proper conception of the nature of the Sabbath.

Thus, Amos, in reproaching the people for their greed, says to them: "You say impatiently, 'When will the new moon be gone that we may sell corn, and the Sabbath that we may set forth the wheat, making the *Ephah* small, the *Shekel* great, and falsifying the balance by deceit' " (Amos VIII, 5). From this statement it is clear that the people in his time, even the greedy, abstained from doing business on the Sabbath. Again, Nehemiah ordered the gates of Jerusalem closed to the Tyrian merchants on the Sabbath so that the people should not buy on that day (Nehemiah XIII, 15-22).

While we do not intend to enumerate the thirty-nine classes of labor and discuss them in detail, we will make one exception and describe one type more adequately because of its in-

fluence on Jewish life, at least in the near past, that is, carrying a burden on the Sabbath. Carrying things on the Sabbath is, like many other kinds of labor, not specifically mentioned in the Bible, although one Talmudic interpretation finds reference to it in the verse in Exodus XVI, 29, but it is included by the bearers of the Oral Law under the thirty-nine principal labors. However, this prohibition was in force even in Biblical times, for it was understood that the carrying of burdens violates the Sabbath rest, both in its literal and in its spiritual meaning. We therefore find Jeremiah thundering against such violators of the Sabbath, saying: "Thus saith the Lord, 'Take heed to yourselves and carry no burden on the Sabbath day, nor bring it in by the gates of Jerusalem'" (Jeremiah XVII, 21). Likewise Nehemiah tells us: "I set some of my servants at the gates that no burdens should be brought in on the Sabbath day" (Nehemiah XIII, 19). And while it is true that these prohibitions refer to carrying of burdens for the purpose of selling their contents, yet it can be safely inferred, especially from the words of Jeremiah, that the carrying of any burden was considered a violation of the Sabbath.

Every labor, though, has certain limitations in quantity and quality. Since the carrying of burdens is a most frequent and significant type of labor, the Mishnah devotes two chapters to determine the quantitative *minimi* for different types of burdens (Sabbath, Chaps. VIII, IX). Carrying, however, also has a spatial limitation, as it is prohibited only in certain places, primarily in a public thoroughfare. Accordingly, a Tannaitic statement (*Tosefta Sabbath*) says that there are four places for which regulations in regard to carrying or moving any objects were established. These are: *Reshut ha-Yahid* (private places); *Reshut ha-Rabim* (public thoroughfare); *Karmilit* (a place the status of which is neither the former nor the latter); and *Mekom Petur*.

Under the first are included all places belonging to a private person which are fenced around to the height of approxi-

mately two cubits.\* In such places all objects may be carried or moved. The second includes public streets, sixteen cubits wide, which are visited by multitudes. In such places, carrying, moving, or throwing of objects is prohibited, and transgressors are subject to punishment. Moreover it is forbidden to transfer things from one place to the other, i.e., from a private place to a public, and vice versa.

Of the other two, *Karmilit* embraces all places which are fenced around but do not reach the required height and have a minimum width of four *Tefahim*. The term is furthermore applied to places which are wide and long and not fenced around, but are not frequented by people, such as rivers, lakes, seas, and fields. In all of these, carrying, moving, and throwing of objects as well as transferring them is prohibited by a later Rabbinical ordinance, but the transgressor is not subject to punishment. The *Mekom Petur* includes places which are higher than three *Tefahim*, but are narrow, less than four *Tefahim* wide. These have the same status as a private place which is fenced around, but in this case it needs no fence and may even be located in a thoroughfare. There are, of course, certain variations in these regulations into the particulars of which we cannot enter, but this is the general outline of the laws regarding the carrying of burdens on the Sabbath.

We must not, however, overlook the fact that the prohibition against carrying on the Sabbath, even things of light weight, resulted in considerable hardship upon the people. Consequently, the Rabbis endeavored to find legal means to somewhat mitigate the difficulties. And as a result, we have a device known as the *Erub* by means of which carrying of burdens necessary for the maintenance of the comforts of life are permitted even in a public street. The importance of the *Erub* can be gauged from the fact that a whole tractate of the Talmud is devoted to the discussion of its particulars. It performed a very useful function in the life of the Jews of the

\* Literally ten *Tefahim*, a *Tefah* being the size of a fist or the breadth of the palm. A cubit, about nineteen inches, consists of six *Tefahim*—ten *Tefahim* is 1 and  $\frac{2}{3}$  cubits.



near past inasmuch as it lessened some of the rigors of the Sabbath. In fact, while conditions in modern urban life make the establishment of the *Erub* impossible, it is still employed in many Jewish communities in the East, and was also utilized in numerous towns in Eastern Europe before the War.

The device of the *Erub* consists in changing the status of the streets of a town from that of public to private property, i.e., from *Reshut ha-Rabim* to *Reshut ha-Yahid*, by affixing at the end of each street a wire supported on two poles, thus achieving the effect of an entrance or a door. The street is then considered fenced around, for the two rows of houses are then regarded as fences. Consequently, it loses the status of a public thoroughfare where carrying of objects is prohibited. It is, of course, understood that this device applies primarily to small towns where the streets have the aspect of court-yards—the type of town where the majority of the Jews in European countries lived—and not to large, wide plazas where multitudes of people pass. The name *Erub* is derived from the root *Arab*, to mix or to combine. In this case, it denotes the fact that legally the individual houses or the street form a continuous fence and the houses are considered as jointly-owned property.

In addition to this type of *Erub*, there is also another called *Erub Tehumim*, which likewise aims at a mitigation of another phase of the Sabbath law, referring to the distance one is permitted to walk on the Sabbath. *Tehum* means a boundary or a limit in space. It is stated in the Pentateuch in regard to the Sabbath: "Let no man go out of his place on the seventh day" (Exodus XVI, 29). This statement is not explicit, for it could not be taken literally as it would turn the Sabbath into a day of gloom instead of one of joy. The interpretation of the Oral Law is that the term "place" in the verse means the distance one covers when taking a walk for pleasure, and the Rabbis determined that distance to be 2000 cubits—about three fifths of a mile—on either side of the town he resides in. In other words, he can walk through the entire town, no matter how large, plus 2000 cubits on either side. Beyond that

it is not considered a walk but a forced hike which wearies and disturbs the rest. However, if one needs or desires to walk beyond the limit of 2000 cubits, a legal device is available. Before sunset on Friday, an amount of food sufficient for two meals may be placed at the end of the 2000 cubit limit thus symbolizing the transference of residence. Consequently, one is permitted an extension of 2000 cubits from the new point of residence. One need not, however, remain there through the entire Sabbath but may return to his town or village after depositing the food.

Allied to the laws of *Erub* are the regulations concerning the removal and carrying of certain vessels and objects even in the house. The technical term for the prohibition to remove or carry such objects is *Muktze*, derived from the verb *Kotzah*, meaning to move, separate, or to devote to a definite purpose. It signifies that the use of the object or vessel is devoted primarily to weekday affairs. The principle involved in such prohibition is to inculcate the sanctity of the Sabbath and its distinction from the week days. Were the tinkering with and the moving around of such objects permitted, complete Sabbath rest would hardly be observed; these actions would bear the aspect of work. In addition, such occupation may also lead to actual violation of the Sabbath as men in carrying around such objects or vessels may inadvertently repair them if any were broken or experiment with their use and thus perform work on the Sabbath. The prohibition belongs then to the class of Rabbinic ordinance known as "fences around the law."

The regulations of this ordinance are generally as follows: All vessels the use of which is for such acts permissible on the Sabbath, as utensils for food, e.g., cups, plates, knives, and the like, may be moved or carried around in any manner even if the purpose is only for the sake of the vessel itself, i.e., in order that it should not be spoiled. All these constitute Class I.

Class II. Vessels the use of which is primarily for such acts which are not permitted on the Sabbath, such as tools of crafts and the like, can be carried around only if one makes use of

them for his own needs or if he has need of the place they occupy, e.g., one may use a hammer to crack nuts but not if the purpose is for the sake of the vessel itself, namely for its protection. On the other hand, objects which are not vessels and are used primarily for acts prohibited on the Sabbath, such as stones, bricks, coins, and similar things, are not to be carried around at all. Likewise, candlesticks in which candles were lighted at sunset on Friday are not to be removed, for their use was devoted to an act prohibited on the Sabbath, but candlesticks in which candles were not burned on the Sabbath can be carried around under the conditions of vessels in Class II.

#### 4. SABBATH AND HUMAN LIFE

Though the Sabbath is holy, matters involving human life take precedence over it. The law was given in order to foster and improve life, and the Sabbath is no exception to the rule. It is said in the Talmud (Tractate *Yoma*, 85): "The Sabbath is instituted for the sake of Israel and not Israel for the sake of the Sabbath." Consequently, it is allowed to desecrate the Sabbath for the sake of a gravely sick person, when all kinds of labor are permitted, if need be, on the advice of a physician. Moreover, the desecration of the Sabbath is allowed even if the gravity of the illness is doubtful, as when physicians differ, one admitting the urgency and the other denying it. The opinion of the former is followed, for the rule is that even in a doubtful case the laws of the Sabbath are rescinded.

When desecration of the Sabbath becomes urgent the necessary labors may be performed not only by a Gentile or a minor, but even by great scholars and leaders in Israel. This is done to demonstrate forcefully that the laws of the Torah were given in order to preserve life and not to cause, even indirectly, any injury to life or limb. The case of illness was cited only as a typical and most frequent example, but the law also applies to all instances where safety of life or limb is concerned and even includes those where apparently there is



only a loss of property which might indirectly result in danger to life, as in the case of a fire in one's home or in that of a neighbor. It is, however, to be emphasized that the breaking of the Sabbath is permitted in this case because of the possible danger to life and not because of loss of property.

#### 5. SANCTIFICATION AND DISTINCTION OF THE SABBATH (Kiddush and Habdalah)

It is a Biblical commandment to sanctify the Sabbath, for the Rabbis interpret the words, "Remember the Sabbath day to keep it holy" (Exodus XX, 8), to mean that it is enjoined upon us to sanctify the Sabbath day by an evident act upon its entrance and its departure. Hence, the ceremonies known as *Kiddush* and *Habdalah*.

The *Kiddush* is recited at the entrance of the Sabbath before the meal on Friday eve. As its name signifies, it is intended to emphasize the sanctity of the Sabbath, and therefore consists of the recitation of a passage from the Bible (Genesis II, 1-3) in which the sanctity of the Sabbath as a day of rest is first mentioned and a short prayer in which thanks are offered to God for His gift to us of the holy Sabbath. The recitation of the *Kiddush* is usually made over a cup of wine, but if wine is not available, it may be made over the Sabbath bread (see below). Though the *Kiddush* is inherently connected with the Sabbath meal, yet it is customary to have it pronounced also by the cantor in the synagogue over a cup of wine at the close of the Friday night service. This custom arose out of the fact that in Talmudic times the synagogue had a few adjoining rooms where poor travelers were accommodated at the community's expense, and it was for their benefit that the *Kiddush* was recited. The custom has been retained and rightly so, for the public *Kiddush* imparts dignity and distinction to the Sabbath.

The *Habdalah* recited in the synagogue at the close of the evening service or at home at the exit of the Sabbath over a cup of wine or other beverages—with the exception of water—

consists of a few verses culled from the Book of Isaiah and the Psalms and a short prayer of thanksgiving for the spiritual distinction of holiness bestowed upon Israel and the seventh day, the Sabbath. Two other benedictions are pronounced, one on light and the other on spices. The reason for the former is that attention is thereby drawn to the benefit of light and fire which are indirectly gifts from God. There is also a supplementary reason based on a legend regarding the origin of fire which says that when Adam was driven out of the Garden of Eden late Friday afternoon he sat in darkness Friday night, which caused him great anxiety, but Saturday night God endowed him with a special knowledge and caused him to generate fire by friction.<sup>6</sup> The custom, however, is an old one, antedating the legend, and the real reason is the one given above. Moreover, it was always customary in Jewry to pronounce a benediction over any form of pleasure, and since the kindling of a fire was prohibited on the Sabbath, the lighting of it after an interruption is regarded as a new form of pleasure.

As for the benediction on spices, various reasons are offered, none of which is satisfactory. The most plausible is the one which ascribes it to a desire to bridge the transition from the rest enjoyed on the Sabbath to the labor of the week by some mildly pleasant ceremony. The benediction on light is pronounced over a candle or torch lit for the occasion. The spices are, as a rule, placed in boxes of wood or silver adorned with some design, known by the name of *Hadas*.<sup>7</sup> This custom served through the ages as an impetus for the development of Jewish art, as many silversmiths and craftsmen distinguished themselves in the art of constructing these boxes and in their design. Some exceptionally artistic specimens are found in a number of Jewish museums.

The Sabbath is distinguished and sanctified in numerous other ways in addition to those described above, primarily by

<sup>6</sup> Tr. *Pessahim*, 54a.

<sup>7</sup> The word *Hadas* means myrtle and since this plant formed in Palestine one of the principal spices, the name was applied not only to the myrtle proper but to all spices, and, as stated, even to the spice-box.

dress and food. Even the poor made an effort to have special clothes for the Sabbath. Attention is also given to the meals. Two loaves of bread over which grace or the *ha-Motzi* is pronounced are required at each of the three Sabbath meals. The requirement, though nominally based on a Rabbinic interpretation of two words *Lehem Mishneh* in Exodus XVI, 22, arose from a desire to have food in abundance on the Sabbath. These loaves bear the name *Halot*, a name given in the Pentateuch to the loaves used in the Temple, such as the show-bread and those used with certain sacrifices.

As no fire is to be kindled on the Sabbath, the food is prepared Friday and kept warm. In the course of time, various types of rich foods were developed and eaten exclusively on the Sabbath. In Central European countries and later in those of Eastern Europe, this food had a special name, *Cholent*, originally derived from the French word, *Chalet*, the food which was immortalized by Heine in his poem, *Die Prinzessin Sabbath*.

## 6. INTELLECTUAL ENJOYMENT

Sanctity cannot be attained without intellectual improvement. Accordingly, the Sabbath day is devoted partly to instruction and learning. In early times, the lecture, *Derashah*, was the most important part of the service. It centered about the reading of the Law (see below). The Pentateuch and part of the Prophets were read, translated if necessary, and interpreted. The interpretation usually concerned itself with the legal, moral, and historical aspects of the text.<sup>8</sup>

This was the first attempt in the history of education to initiate adult education on such a large scale. In later times, when education spread and learning developed to a degree where every Jew was at least able to read the Hebrew text of the Bible and understand large portions of it, while a majority had access to various parts of the extensive Jewish literature,

<sup>8</sup> For the details on this matter see the author's "A History of Jewish Literature," Vol. I, Chaps. III, VI.



the entire Sabbath day was primarily devoted to study. To the synagogue came various groups, each of which devoted itself to the study of a certain subject. Some studied the Pentateuchal portion of the week with its commentaries; others, the Agadic portions of the Talmud or the Books of the Midrash; still others, chapters of the Mishnah; and the learned, treatises of the Talmud. Each group had a teacher, but almost all the members participated in discussions. Those who did not wish to study availed themselves of the sermon, which was usually preached in the afternoon before the *Minhah* service by special preachers called *Maggidim* (i.e., speakers). These imparted spiritual and religious instruction in an inspiring and popular way.

This form of education is still carried on in many Jewish settlements in various parts of the world and in numerous congregations in this country, though unfortunately, with diminishing results. These various ways of observing and sanctifying the Sabbath imparted to it the unique importance it holds in Jewish life, and justifies the statement, quoted above, that it helped to preserve the Jews in their integrity as well as in the distinctness of their way of life.

## CHAPTER II

### THE FESTIVALS

#### 7. ROSH HA-SHANAH

We will discuss the cycle of festivals in the order they take place during the year and we will accordingly begin with Rosh ha-Shanah (New Year).

It is not definitely known when this festival, which falls on the first day of the month of Tishri, became the first day of the New Year. The Bible (Leviticus XXIII, 24; Numbers XXIX, 1) merely refers to it as a festival which is to take place on the first day of the seventh month—taking Nisan in the spring as the first month as expressly stated in Exodus XII, 1.—Nor is it indicated in the eighth chapter of Nehemiah, where a description of the celebration of the holiday is given, that it marks the beginning of the year. Without entering into the very complicated discussion of whether the ancient Jewish calendar was reckoned according to the solar or lunar year, we can say that there is enough ground to assume that even in early times Tishri began the practical year. Since agriculture was the main occupation of the people, Tishri, which was the beginning of the farming year, had a strong claim to consideration as the first month of the year. However, the order of the months beginning with Nisan was continued according to an earlier calculation which was based either on astronomical observation or on the fact that Nisan, the month of the Exodus, had a distinct historical importance. There are several references in the Bible which confirm the notion that the month of Tishri was regarded as initiating the practical year. Exodus XXXIV, 22 speaks of the festival of Succot as occurring at a time when the year completes its cycle, and Deuteronomy

XXXI, 10 similarly speaks of the same festival as coming at the end of the year, and hence the time is simultaneously the beginning of a new year. Since Succot falls on the 15th of the month of Tishri, it obviously could not begin the year; consequently, both passages are to be understood to mean that the holiday occurs in the month which begins the year, which *eo ipso* is the terminus of the preceding year. Furthermore, the solemnity with which the observance of this first day of the seventh month is endowed in the commandments cited above shows that special importance was attached to the day. In both of the references mentioned above, it is enjoined that trumpets should be blown on the day. In Biblical times, the trumpet or *Shofar* was sounded on important public occasions, such as calling the people together or summoning them for battle. We may therefore assume that the purpose of the blowing of the *Shofar* was to notify the people that a new year had entered. However, be that as it may, an old Mishnaic statement, hailing probably from Soferic times (ca. 350–330 B. C. E.), speaks of the first day of Tishri in a very matter of fact manner as the beginning of the civil year, thereby indicating that it probably acquired that status some centuries earlier.

The character which Rosh ha-Shanah assumed during the ages as a day of spiritual inspiration and reflection as well as the first day of a period of repentance must also go back to ancient times. Evidence for this assumption is afforded by the proximity of the Day of Atonement, which even in early Biblical times was the supreme day of spirituality and repentance. This view of Rosh ha-Shanah was undoubtedly strengthened during the period of the Second Commonwealth, which was marked by a deepening of the religious spirit and its penetration into the consciousness of every Jew. To a people as religiously-minded as the Jews were at that time, the beginning of a year must have evoked reflections on their conduct of the past year; and since the Jewish belief in divine providence was complete, it readily came to be believed that the beginning of a new year was



the proper time for a line of demarcation in that providence as far as each individual Jew was concerned, and Rosh ha-Shanah thus became the day of judgment. Hence the Mishnaic statement (Tr. Rosh ha-Shanah, Ch. I, 2) which bears all signs of antiquity that "On Rosh ha-Shanah all people pass before God in judgment like sheep before the experienced eye of the shepherd."<sup>1</sup>

The principal ceremony connected with this festival, the performance of which is enjoined by Biblical precept, is the blowing of the *Shofar*. This ceremony, however, lost its original Biblical simplicity and grew somewhat complicated in the course of time. The reason for it is that the words of

<sup>1</sup> That Rosh ha-Shanah was very early considered a day of reflection and repentance can be inferred indirectly from the very passage in Nehemiah VIII, 1-13 which most Biblical critics use to prove that in the days of Ezra Rosh ha-Shanah was neither regarded as the beginning of the year nor invested with a spiritual character. It is there told, after the story of the public reading of the Law is related, that Nehemiah and Ezra the scribe told the people: "This day is holy unto the Lord, your God; mourn not nor weep, for all the people wept when they heard the words of the Law." He further urged them to eat and drink, "for this day is holy unto our Lord; neither be ye sorry, for the day of the Lord is your strength." The Levites on their part kept on repeating: "Do not be grieved" (verses 9-11). Now two questions may be asked. First, what passages of the Pentateuch were read, and second, why did the people cry so bitterly? As for the first, it cannot be assumed that the passages contained a catalogue of sins, or one of the two long passages in Leviticus XXVI, 14-46 and Deuteronomy XXVIII, 15-69 known as *Tokhahot*, i.e., passages presaging severe chastisement for transgressions. These passages do not belong to the readings on the holidays nor do they have any relation to them. The reading most likely consisted of the passages regarding the first of the seventh month and of the Day of Atonement, which is the next passage. The people then being reminded of the importance of the day, especially by oral explanation, for as stated in verse 8, the reading was accompanied by interpretative comments, bethought themselves also of their sins which were numerous. Hence their weeping and their desire to fast. As a result, they had to be pacified by their leaders.

It may therefore be safely assumed that the character of the first day of Tishri as New Year and as a day of judgment is not, as the critics say, a late innovation, but its origin can be traced at least to the time of Ezra and probably even to earlier times.

It is worthwhile also to point out that the Aramaic translation of the Book of Job (Targum) remarks on the words, "And there was a day when the sons of God came to present themselves before the Lord" (Ch. I, 6), that it was New Year when judgment was proclaimed in heaven. Translations of Job were circulated in writing at the beginning of the Common Era (Tr. Sabbath, 116), while the content was current orally for centuries before. The remark is therefore an additional proof for the antiquity of the character of Rosh ha-Shanah.

the commandment are not explicit, though they are repeated twice. In Leviticus XXIII, 24, it says: "In the seventh month on the first day of the month, ye shall have a rest day, a memorial of blowing trumpets" (*Zikron Teruah*). Again in Numbers XXIX, 1, it is said: "It shall be unto ye a day of *Teruah*." The *Teruah* is mentioned a third time in connection with the sounding of the *Shofar* on the entrance of the Jubilee year. The Rabbis, therefore, deduced from the repetition of the term *Teruah* and by the method of analogy that in all blowing of the *Shofar*, both on Rosh ha-Shanah and on the entrance of the Jubilee year, there shall be three *Teruot*. The *Teruah* consists of a number of short blasts, and as a *Teruah* was never sounded alone but was preceded and followed by long extended sounds known as *Tekiah*, the order of the blowing of the *Shofar* is given in the Mishnah as three triads of sounds each consisting of a *Tekiah*, *Teruah*, and a *Tekiah*. This was the ancient order. In later times, doubt arose as to the exact nature of the *Teruah*, whether it symbolizes a wail or a sigh, or both, and in order to overcome any doubt, one of the Rabbis of the Talmud introduced a more complicated order, namely, he tripled two sets, one consisting of *Tekiah*, *Teruah* (a wail), *Tekiah*, and the other of *Tekiah*, *Shebarim* (a sigh), and *Tekiah*, and introduced a third set consisting of four sounds, i.e., *Tekiah*, *Shebarim*, *Teruah*, and *Tekiah*, which is likewise tripled. We have then a total of thirty sounds, which removes any doubt, for whether *Teruah* is the sound of a sigh or a wail or both, we have three triads of each.

Formerly, the *Shofar* was blown in connection with the *Musaf Amidah* \*, a set after each of its three sections, but for one reason or another—probably because of some calamity which assailed the Jews—the time of the blowing of the *Shofar* was changed to before the recitation of the *Musaf* service, immediately after the reading of the Law. But in order that the old custom should not be entirely forgotten,

\* *Amidah* is another name for the prayer usually called *Shemoneh Esré*. See Ch. III.

the later Rabbis decreed that the *Shofar* should be sounded again during the *Musaf Amidah*, either ten blasts (i.e., four after the first section and three after each of the other two sections), or even thirty blasts, namely, twelve after the first section and nine after each of the other two. Mystical tendencies, leavened by folk imagination, pictured the day as a day when the heavenly court actually sits in judgment and Satan acts as procureur, and portrayed the blowing of the *Shofar* as a call to battle to overcome the evil passions, or as they expressed themselves figuratively, to confuse Satan in his role as accuser. As a result, ultra-pious people introduced additional *Shofar* blowing after the prayers so as to make the total number one hundred.

The *Shofar* is made from a ram's horn, preferably in curved form. It must be whole, have no cracks or holes in it, so that the sounds emitted shall be clear and penetrating. All Israelites are obliged to hear the blowing of the *Shofar*, and while the ceremony is being performed two benedictions are pronounced, the first emphasizing the command to hear the sound, the second thanking God for preserving us in life, a benediction (see below) recited on the first day of every festival and on other occasions when performing special precepts.

The particular character attributed to this festival which makes it not only the beginning of a New Year but a day of judgment gave rise to a number of folk customs and ceremonies which are of a purely symbolic nature and bear no obligatory character. These are connected with the festive meals and are at least more than a millennium old. It was customary for the heads and fellows of the Academies of Babylon, among them Hai Gaon (d. 1038), to eat on the eve of Rosh ha-Shanah certain vegetables and fruits, the Hebrew or Aramaic names of which signify blessings and good wishes for a happy year. In Western Europe the head of a calf or fish and honey in which the bread is dipped serve the same purpose. The first symbolizes the desire for a leading part in the affairs of life, and the second for sweetness



and pleasantness. Appropriate Hebrew phrases expressing the wishes are said while partaking of these foods.

Another ceremony, also of a symbolic nature, is the ceremony of *Tashlikh* which consists of a short prayer recited on the banks of a body of water which reads in part: "And thou wilt cast all their sins into the depths of the sea" (Micah, Ch. VII). Hence the ceremony is called *Tashlikh* (Thou wilt cast). That the prayers of these days as well as of the Day of Atonement as a whole possess special solemnity, and that it is one of the two festivals observed even by those who are not as a rule faithful or assiduous observers of religious precepts and ceremonies, goes without saying.

## 8. DAY OF ATONEMENT

The ten days of penitence, which begin with Rosh ha-Shanah, culminate with the Day of Atonement.—The seven intervening days are not distinguished by any special religious ceremonies except by the recitation of certain additional prayers which are of later origin and the content of which is conducive to religious reflection and meditation. The celebration of this day is explicitly enjoined by Biblical command which says: "On the tenth day of the seventh month there shall be a day of atonement; it shall be an holy convocation unto you, and ye shall afflict your souls and offer an offering made by fire unto the Lord. And ye shall do no work on that same day, for it is a day of atonement, to make an atonement for you before the Lord, your God" (Leviticus XXIII, 27, 28). It then goes on to warn those who will desecrate the day, either by not abstaining from work or by not afflicting themselves, with the dire punishment of being cut off from their people. The holiness of the day is further emphasized by the special name it bears, "Sabbath of Rest." The same injunction in similar terms is also stated in Leviticus XVI, 29–31 at the end of a long description of the Temple service to be performed on that day. The affliction and prohibition of work are mentioned

again in Numbers XXIX, 7. However, nowhere is the nature of the affliction given. Oral tradition interpreted the term affliction to mean abstaining from such things the absence of which causes pain or lack of comfort to the body. Accordingly, the Mishnah (Yoma VIII, 1) says that on the Day of Atonement one is prohibited from eating, drinking, bathing, anointing oneself with oil—a necessity in those times and conditions of life—and from wearing shoes. Abstaining from these things is considered an affliction.

Since the commandments regarding affliction and rest from work make the day the most spiritual of the year, it was naturally surrounded by a halo of solemnity and religious ceremonies. In Temple times, the service in the Temple was the most solemn and most lengthy, lasting the whole day, and was performed solely by the high priest. In later times, the day was spent entirely in the synagogue in prayer, meditation, and reading of the Law. The spiritual solemnity of the day is further distinguished by the addition of another service to the four services held on the Sabbath and festivals, making a total of five—figuring from sundown to sundown.—The fifth service, called *Neilah*, i.e., the closing service, is held in the late afternoon. In the Talmudic period it formed a regular feature of every public fast, but in later times (see below), it was omitted on all other fast days and retained only on the Day of Atonement.

There is another feature of the Day of Atonement which deserves consideration. The service on the eve of Yom Kippur is popularly known not by the usual name, *Maarib*, but *Kol Nidré*, though curiously enough, *Kol Nidré* itself is not part of the service nor even a prayer. In reality, it is a legal document and consists of a declaration that vows, promises, or even oaths which may be made by any member of the congregation during the coming year shall be null and void if the one who makes them changes his mind for one reason or another.

This ceremony is not enjoined by law or precept, and unfortunately its intention has been frequently misinterpreted

by non-Jews. It arose not from a light attitude towards vows and promises, but on the contrary, from an attitude of excessive respect and high regard for vows or promises which a man makes. The Torah says: "If a man vow a vow unto the Lord or swear an oath to bind his soul with a bond, he shall not break his word. He shall do according to all that proceedeth out of his mouth" (Numbers XXX, 2). This statement was considered by the bearers of the tradition of the Oral Law as a command to fulfill vows and oaths for the transgression of which punishment is meted out—in some cases, flagellation—and a considerable number of rules and regulations were thereupon evolved covering all kinds of vows and oaths. However, being conscious of the frailties of human nature which often prompt a man to take a vow or make a promise, or even swear in haste or anger without due premeditation, and in order to avoid tragic consequences which might ensue as a result of such acts, as was the case with the vow taken by Jephthah (Judges XI, 34–40), certain privileges for the annulment of vows were extended by the bearers of the Oral Law to those who took an oath inadvertently. Such extension has a basis in the Torah itself which allows annulment of vows made by women under certain conditions. It was therefore established that a well known scholar or a court of three laymen may, at the request of the maker of the vow, absolve him from his vow, provided the scholar or the court determines that it was made with a certain justified reservation, though it might have been subconscious rather than conscious. This proviso justifies the court in assuming that had the results or the consequences been known to the person at the time he made the vow, he would not have done so. Consequently, the vow was taken with an unexpressed contingency, and thus there is legitimate ground for the change of mind and the annulment. The law of annulment has many rules and regulations and is encumbered by limitations into which we cannot enter. Later scholars penetrated more deeply into the complicated matter of promises



and vows. They noted that people all too frequently make them, but either through certain conditions or forgetfulness they cannot fulfill them. Therefore, in the desire that people may avoid transgressions and consequent punishment, they asserted that one can state a condition at the beginning of the year that all vows and promises which he might make during the coming year and which he may not be able to fulfill are annulled by him in advance. It is for this reason that the *Kol Nidré* was introduced on the eve of the Day of Atonement when the whole congregation is present. The language of *Kol Nidré*, which is Aramaic, proves that this custom was introduced not later than the middle of the Gaonic period when Aramaic was still in vogue. However, in the beginning, it was not approved of by all scholars, for we find some authorities opposing it. Towards the end of the Gaonic period (10th century) it gained ground, and the Gaon Saadia (892-942) enjoins it. In the communities of Western Europe and later in Eastern Europe, it was in general use at least for a millennium. Its prevalence was most likely due to the hard conditions of life, the persecutions and discriminations which frequently caused people to make promises or take vows under duress.

There are two versions of *Kol Nidré*, the one spoken of above intended for the coming year, and the other which states that repentance is made for all vows of the past year. This form is based on the previously mentioned modification in the law of vows introduced by the Rabbis which allows annulment of a past vow either by a scholar or by a court of laymen. In this case the whole congregation acts as the court, though the reason for the change of mind is not given. The first version is used by the communities of Western and Eastern Europe following the Ashkenazic rite, and the second by all those following the Sefardic or Portuguese rite.

It is explicitly understood that this annulment is valid only in cases of vows and oaths which are made in private life, mostly in regard to religious matters, but no annulment

can be made of vows and promises made to another person, or to a court, or to the government, and certainly not by a community. Accusations formerly made against the Jews for this declaration are totally groundless. Its sole intent was, as stated, to absolve one from sin when forgetfulness or unpreventable conditions made fulfillment impossible.

The solemnity and awe with which this essentially legalistic declaration is invested are partly due to the form in which the declaration is given, namely that it is recited by the entire congregation which acts, as said, as a public court, while the leading scholars of the community with the Scrolls of the Law in their hands stand at the side of the cantor, thus adding dignity and order to the court, but primarily it is due to the melody in which the *Kol Nidré* is chanted. In the course of the ages this melody has gradually absorbed into it all the bitterness of the Jewish fate, the protest at the constant suffering, and the cry of a martyred people.

The Day of Atonement is distinguished at its departure, like the Sabbath, by the reciting of the *Habdalah*. However, no benediction on spices is pronounced.

In spite of the holiness attached to the Day of Atonement, and in spite of the oft-repeated injunction in the Pentateuch regarding "affliction" on that day, it does not apply in cases when fasting would in any way endanger life or health. Accordingly, a sick person is allowed to break the fast at the advice of a physician or even at his own insistence that he must have food. His opinion is recognized even against the opinion of the physician.

## 9. SUCCOT (The Feast of Tabernacles)

The festival known as Succot is designated in the Pentateuch by two names, *Hag ha-Asif* (The Feast of the Ingathering), as it is said: "And the Feast of the Ingathering which is at the end of the year when thou hast gathered in thy

labors out of the field" (Exodus XXIII, 16), and *Hag ha-Succot* (Leviticus XXIII, 34). The same name is repeated in Deuteronomy XVI, 13. These two names indicate the double aspect of the festival. It was undoubtedly observed in very early times, even before the Exodus, as a nature festival, celebrated at the time when the grain and the fruits are gathered in and thanks rendered to God. The Pentateuch added to it the historical aspect and says: "Ye shall dwell in booths seven days; all that are native Israelites born shall dwell in booths, that your generations may know that I made the children of Israel to dwell in booths when I brought them out of the land of Egypt, I am the Lord, thy God" (Leviticus XXIII, 42, 43). This, as said, is the second aspect, but the first, namely rejoicing and giving of thanks, is continually emphasized in all passages referring to the festival and is symbolized by the ceremony of taking the *Ethrog*, the *Lulab*, the myrtle, and the willow branches. The historical aspect blends properly with the earlier one, for were there no Exodus there could be no rejoicing and giving of thanks at the ingathering of fruits and grains. Accordingly we will see that both aspects are symbolized by various ceremonies clustered around this festival.

Succot consists of two festivals, Succot proper which is to last for seven days according to the Bible, and *Shemini Azeret*, i.e., the eighth day, which is a festival in itself. In Palestine both were celebrated, and are even today, for the same number of days. In the lands of the Diaspora, for reasons which will be explained (see section on calendar) one more day was added even in the time of the Temple, thus making a total of nine days. It is still being celebrated in the same manner by all Jews outside of Palestine except by those who are affiliated with the Reform party. The extra day is added on to the second festival, *Shemini Azeret*, but Succot proper still consists of seven days.

Though this festival consists, as said, of nine days, yet only the first two and the last two days are really *Yom Tob* or holy days, the intervening five days being a semi-holiday and



known as *Hol ha-Moed*. These days partake both of the nature of the week days and of holy days, that is, the principal ceremonies connected with this festival are also observed on *Hol ha-Moed*, but no cessation from work is enjoined. (For the regulations governing rest on the holy days see section on Yom Tob.)

Two principal ceremonies are observed on Succot, namely dwelling in booths and the taking of the *Ethrog*, *Lulab*, and the other plants. As regards the first, the obligation consists primarily in spending as much time as possible in the *Succah*. In early times, in Palestine, where the climate is mild, the words of the Bible, "Ye shall dwell in booths seven days" were construed more literally, and people not only ate in the booths but also slept there and spent most of their time there. Later, and in other lands, the term "dwelling" was confined primarily to the eating of the meals in the *Succah*, though very pious people also sleep there.

The *Succah*, as its very name indicates, was primarily intended to resemble a hut built by sojourners in the desert, made of any material and covered by a roof of things growing from the earth, such as grass, plants, and the like, its principal purpose being to give shade during the day. Accordingly, the rules and regulations covering its construction as given in the Talmud retain these characteristics. The important feature is its covering. As said, the *Succah* must be covered with products growing out of the soil; the covering must be placed loosely so that the sky may be seen through it, and at night, the stars, for otherwise, it would lose the character intended. On the other hand, it must not be too loose, for then it would give no shade, and the rule is that the sunny portion of a *Succah* must not be larger than the shady portion. The Pentateuch does not specify the dimensions of the *Succah*, but the Oral Law, taking into consideration human needs and habits, fixed the following dimensions: Its height must not be more than twenty cubits since a *Succah* of greater height must have solid walls and a solid foundation. Again, it must not be lower than ten

*Tefahim*,\* approximately two cubits, for then it is not even a decent hut. No limits are placed on its length or width, but a minimum of a cubit and a *Tefah* are required for each. These small dimensions were fixed so as to enable one to observe the ceremony even under difficult conditions. A *Succah* must have at least three walls; the fourth may be open with only a pole placed on top to resemble a door. Even the third wall may be a partial one. However, all these rules give only the minima. In practice the walls of a *Succah* often formed parts of a room in the house, with the ceiling and roof above it so constructed that they could be removed for the duration and a covering of branches or other permissible materials placed there.

As said, the term "to dwell" was in time limited primarily to the meals in the *Succah*, and it is therefore required that one have at least two meals a day there. As emphasized hitherto the laws lose their force when their observance might cause injury to life and health. Consequently, sick people are not obliged to eat in the *Succah*. Furthermore, if for one reason or another, eating there cause acute discomfort, such as in the case of inclement weather or other causes, one is not obliged to go to the *Succah*.

The second important ceremony observed on this festival is the "taking" of four plants and pronouncing an appropriate benediction over them. It is expressly enjoined in the Torah which says: "And ye shall take you on the first day the fruit of goodly trees, branches of palm trees, and the boughs of thick trees, and willows of the brook, and ye shall rejoice before the Lord, your God, for seven days" (Leviticus XXIII, 40). The commandment enjoining the ceremony evidently emphasizes the thanksgiving aspect of the festival, for these plants symbolize the blessing bestowed by God upon His people in causing an abundance of products. The wording, however, is not clear, for while the first part speaks of the observance of the ceremony on the first day only, the second part mentions "rejoicing" for seven days which evidently re-

\* For the measure of a cubit and a *Tefah* see above p. 34 note.

fers to the "taking" of the plants. The bearers of the tradition of the Oral Law in the time of the Temple explained the precept to mean that on the first day the ceremony is to be observed by every Jew everywhere, while in the Temple it is to last seven days.<sup>2</sup> After the destruction of the Temple, Johanan ben Zakkai, the founder and head of the Academy at Jabne, passed an ordinance that henceforth the ceremony should be observed everywhere for seven days, and it has thus been practiced throughout the centuries.<sup>3</sup> Nor are all the fruits and plants specifically indicated in the verse. Two are explicitly mentioned, the palm branch and the willow, the other two are referred to only generally. Tradition, however, early decided that the "fruit of the goodly trees" spoken of in the verse is the *Ethrog* (Peri Etz Hadar), the finest citrus fruit which grew in Palestine. "The branch of the thickly grown tree" is the myrtle (*Hadas*), the leaves of which grow so thick that they cover the trunk of the tree entirely. Accordingly, it was established that the plants be taken in the following order: an *Ethrog*, a tall palm branch, three short twigs of the myrtle, and two twigs of the willow tree. The *Ethrog* is held in the left hand, while the *Lulab*, the myrtle, and the willow twigs tied together are held in the right hand and a benediction is pronounced. This ceremony is to be performed by every Jew before or during the morning service on each day of the festival except Saturday, when the plants may not be carried through the streets to the synagogue.

Since the original purpose of the ceremony was to symbolize the abundance of the produce of the earth which is a blessing bestowed by God, it follows that these plants should be the finest specimens of their genera. Accordingly, there are a number of rules regulating their size and appearance. The *Ethrog* must be of fair size without defects. Cracks, spots, or perforations disqualify it. The *Lulab* must

<sup>2</sup> The basis of the interpretation are the words "before the Lord" which the commandment "for seven days" includes. The Rabbis then said, "We must take the plants seven days only before the Lord, i.e., in the Temple.

<sup>3</sup> As a Rabbinical commandment.



not be cleft and its leaves must be joined, and must be about three quarters of a cubit high (four Tefahim). The myrtle and the willow twigs with a minimum height of half a cubit (three Tefahim) must be fresh and their leaves full.

#### OTHER CUSTOMS CONNECTED WITH THE "TAKING" OF PLANTS

Succot is primarily a thanksgiving festival for a nation which, in the period of its early history, subsisted principally on agriculture. There are, therefore, other customs which symbolize the expression of thanksgiving for God's blessings. In early times the plants were also held in hand during the services and when *Hallel* was recited (see below) and when the words, "Give thanks to the Lord, for He is good because His mercy endureth forever" (Psalms, CXVIII, 1), were pronounced, the *Lulab* was pointed towards the six points of space to symbolize His goodness which is present everywhere. Another custom which was practiced in the time of the Temple was that on each of the seven days of Succot the Altar in the Temple was encircled by a number of people with *Lulab* in hand chanting words of praise to God, and on the seventh day it was encircled seven times. The custom was retained for centuries, with some modifications, in all lands of the exile, and is still practiced in traditional synagogues. During the procession short poetic prayers known as *Hoshanot* are recited, for they are based on the words of verse 25 in Psalms CXVIII, "*Ana Adonai Hoshia na*" ("Save, I beseech Thee, O Lord").

#### 10. HOSHANNAH RABBA

The seventh day of Succot bears the name *Hoshannah Rabba* because of a special ceremony connected with it. The ceremony, though not mentioned in the Bible, is very old and was practiced in the Temple during the time of the Second Commonwealth in somewhat different form. Tra-

dition assigns its institution to the Prophets. The ceremony expresses a phase of the thanksgiving aspect of the festival as a whole. Succot not only completes the cycle of agricultural labors but also presages the beginning of a new cycle for which rain is a prime necessity. Since the rainy season in Palestine usually begins a short time after Succot, a ceremony was introduced which symbolizes a plea for future abundance. It consists in "taking" on that day during the services willow branches, for willows which grow at the banks of brooks are a symbol of abundance of water. The ceremony in the time of the Temple was performed with great pomp. Leading men among the priests went out daily and cut a number of tall willow branches and placed them on the Altar of the Temple reciting at the same time verse 1 in Psalm CXVIII—the words, "O, Give thanks unto the Lord; for He is good: because His mercy endureth forever." On the seventh day they circled the Altar, carrying these branches in their hands. The day was called the *Day of the Arabah* (Willows). This ceremony is still observed with some changes. The *Bimah* is encircled with the *Lulab* in hand seven times, but when the special prayers called *Hoshanot* are recited the willow twigs are held in hand until the end of the service. Hence the day was called *Hoshannah Rabba* and even the bundle of twigs is popularly known as *Hoshannah*. In general, later mysticism surrounded *Hoshannah Rabba* with a halo of importance. It is considered the final day of judgment which began with Rosh ha-Shanah. On that day the "decree" of the fate and destiny of the individual is supposed to be issued.

## 11. SHEMINI AZERET AND SIMḤAT TORAH

The eighth day of Succot bears the name *Shemini Azeret* and is considered, as mentioned, a special festival. Though the *Succah* and the *Ethrog* are discontinued, the joyful note which characterizes Succot is maintained. The Torah emphasizes the feature of rejoicing on Succot, as it says: "And thou

shalt rejoice in thy feast, thou and thy son, and thy daughter, and thy man-servant, and thy maid-servant, and the Levite, and the stranger, and the fatherless, and the widow that are within thy gates" (Deuteronomy XVI, 14). And again: "Thou shalt surely rejoice" (ibid. 15). Tradition also included the eighth day among the days of rejoicing, and the Mishnah accordingly says: "Rejoicing is obligatory for eight days" (Mishnah Succah, Ch. IV, 8). This statement gave rise to a number of ceremonies (see below). The eighth day, though, had in early days a distinguishing mark of its own which was expressed in the service where a short prayer for rain was introduced. In fact, the plea for rain was expressed symbolically during the entire festival of Succot, first by the ceremony of the *Arabah*, as stated above, and second, by the libation of water on the Altar, a ceremony which is not mentioned in the Bible but was practiced during the Second Commonwealth and which seemed to have enjoyed popular favor despite the opposition of the Sadducees. On the eighth day the symbolic ceremonies were discontinued and replaced by the prayer, and this feature was retained even after the exile in all lands of the Diaspora. Curiously enough, it has assumed additional importance. Religious poets gave it special attention, and a large number of compositions are dedicated to the supplication. A special service known as *Geshem* (rain) is held on that day which is joined with the *Musaf* service read on festivals. This service is endowed with a peculiar solemnity as expressed in the attire and in the chant of the cantor which are similar to those of the High Holidays. The reason for this solemnity is that, according to a figurative statement in the Mishnah, this day is one of the four heavenly days of judgment, for on it the decree of providence regarding the amount of rain for the coming year is issued. The retention of this ceremony in the lands of the Diaspora testify to the exceptional place the memories of Palestine and the hope of the return to the land have always held in Jewish life.



However, the feature of rejoicing was destined to become of greater importance. It ultimately gave rise to a number of ceremonies and even gave to the second day of this festival in the Diaspora, where it is celebrated for two days, a special name, *Simḥat Torah*. Neither the name nor the ceremonies connected with it are mentioned in the Talmud or even in the Gaonic times. They undoubtedly originated in times when the annual cycle of the reading of the Law was definitely established and became prevalent (see below). This phase of the celebration marks the completion of the reading of the Pentateuch from the beginning of Genesis to the end of Deuteronomy. The exuberance of joy displayed on that day are the external signs of the love and loyalty the Jews entertained during the ages towards the Torah. There are two formal ceremonies marking the celebration. The first is called *Hakafot*, in which the members of the congregation with the Scrolls of the Law in their hands march around the *Bimah* seven times during the morning and evening services. Short liturgical pieces are recited and sung at the time. The second ceremony consists in calling as many people as possible to participate in the reading of the Law.—It is read twice, morning and evening.—Minors who ordinarily are not called are also accorded that honor on that day. The most scholarly person in the congregation is called last to read the closing portion in Deuteronomy and is given the title, *Ḥatan Torah* (The Groom of the Torah). In time it became customary to read the first part of Genesis also to indicate that the study of the Law never ceases, and the one called to read that portion is entitled *Ḥatan Bereshit* (Groom of the Beginning of the Torah). The people, especially in the towns of Eastern Europe, invented many ways and forms to express their joy in the Torah, and special attention was paid to the children who came to the synagogue with flags depicting Biblical or religious scenes in their hands. In general, it was, and still is, a day of merry-making and hilarity.

## 12. PASSOVER

Whether Passover had any other origin or aspect in pre-Mosaic times cannot be definitely known. Its clear-cut historical character as a celebration of the most momentous event in Jewish history, the Exodus, and the birth of the Jewish nation is all-dominating. In five out of ten times where the observance of this festival is enjoined in the Law (Exodus XII, 15-20; XIII, 3-11; XXIII, 15; Leviticus XXIII, 5-8; Deuteronomy XVI, 1-5), this character is emphasized, and the reason for its principal features stated. These features are, first, a prohibition against eating or possessing leavened bread, and second, an affirmative precept, to eat Matzot, i.e., unleavened cakes. The reason for these two precepts is, that at the time of the Exodus, the Jews could not prepare leavened bread because of their hasty departure and ate *Matzot*. The aim of the lawgiver was to keep this event constantly in the mind of the people, and hence the repeated injunctions and admonitions to remember the Exodus and the redemption from slavery. The third feature, the sacrificing of the Paschal Lamb, need not be discussed here. The Torah warns against the transgression of the prohibitive commandment and says that anyone who will eat leavened bread will be "cut off" <sup>4</sup> from the congregation of Israel, the punishment being extended even to the non-Jewish stranger in the land.

The momentousness of the event celebrated by the festival as well as the severe punishment attached to the transgression of the precepts imparted a special importance to Passover, and it was observed by the people through all ages with a scrupulousness of detail and ceremony which in turn gave rise to numerous laws, rules, and regulations concerning the various phases of its observance.

<sup>4</sup> The meaning of the word "cut off" (*Karet*) is not entirely clear. Various interpretations are advanced in the Talmud; one says that it means that the transgressors will die childless, another says that he will die at an age earlier than three score and ten—the usual span of life. Both views are unsatisfactory. Originally it might have meant social ostracism.

First of all, oral tradition and its bearers, paying scrupulous attention to every word of the passage in Exodus XII, 15-20, noted that not only *Hometz*, i.e., leavened bread, is prohibited, but leaven in general, as expressed by the term *Mahmezet* in verse 20. Consequently, the prohibition was extended not only to bread leavened and baked, but even to dough or flour in the process of leavening. This may include grain which, under certain natural conditions, such as immersion in water, tends towards leavening. Secondly, the term was made to include also mixtures of leaven, namely, when any leavened object is mixed with other foods or dissolved in them, the whole is prohibited. And while in the Talmud there is a difference of opinion regarding the amount of leaven which makes a mixture unfit for use on Passover, some contending that one sixtieth part of leaven in a mixture should not affect the whole, the severer opinion nonetheless prevailed, that even an infinitesimal amount of leaven if mixed or dissolved in any amount of food disqualifies it.

It is this view which brought about the rigors in connection with the observance of the Passover, for though it was accepted that the actual term leaven was applied only to five kinds of grain, namely, wheat, rye, barley, spelt, and oats, and not to rice, millet, sesame, or legumes, yet all other foods, if not carefully guarded, might have, at one time or another, been mixed with particles of leaven. Consequently, all food used on Passover must be specially prepared and guarded from any mixture or solution of leaven.

The same rigorous attitude was adopted towards retaining as well as possessing on Passover any food which may have leaven or even a particle of leaven. Such food is prohibited forever, not only as food but even to be used in any wise which might bring profit or enjoyment. As a result of this attitude and regulation all traces of leavened food are obliterated and the house is cleaned thoroughly. As far as dishes are concerned, special sets dedicated to Passover use only are employed. Silver tableware, which cannot be so



easily duplicated by Jews of moderate means, is immersed in boiling water for a few minutes so that any taint of leaven which might have been absorbed should be exuded by the force of the heat.

However, the punctilious carrying out of all the regulations to destroy all traces of leavened food in one's domain could be accomplished only in a limited economy. But when commerce developed among the Jews and many merchants had large stocks of food which might have been leavened or fermented and its destruction or removal would entail great loss, later legal scholars evolved a device whereby the law could be observed and the loss obviated. This consists in a formal sale of all food to non-Jews for the Passover week with a provision for resale at the end of the holiday. It is no doubt a kind of legal fiction, but in view of the fact that the bills of sale are made out in accordance with the letter of the law, and taking into consideration that most of the food is not really *Hometz*, but rather types of admixtures, no harm is done by this legal device. How seriously this commandment, namely, that *Hometz* should not be seen or found in a Jewish home during Passover, was regarded by the Jews can be proved from the fact that we have numerous records in Responsa of cases of great loss suffered by merchants when, for one reason or another, that device was not used. Merchants of food—especially of fermented liquors—often poured such liquors worth great sums into the rivers on the day before Passover without hesitation. These facts prove, of course, the great economic need which made the introduction of this device a necessity and justify its enactment from all points of view.

There is another ceremony connected with the enjoinder to destroy and remove the *Hometz*, and that is *Bedikat Hometz*, the symbolic search for *Hometz* on the eve before Passover. I say symbolic, for in olden days a real search was instituted in all corners of the house or storehouse. In later times, however, the removal of *Hometz* took place several days before Passover, but in order that the command-

ment of *Bedikat Hometz* be not forgotten, a figurative search is instituted. With candle in hand, the head of the house searches for bread and collects a few crumbs which are burned the following morning. On the day preceding Passover, the last meal of *Hometz* is eaten not later than about nine-thirty in the morning. This limitation is another evidence of the exceptionally serious attitude which was adopted towards the precepts enjoined in regard to Passover. After the meal, the crumbs of bread set aside the night before are destroyed by fire. Short benedictions are pronounced during the process.

The second commandment regarding Passover is the eating of Matzot. The Torah does not give any specific description of the Matzot, nor does it say anything about their preparation. Oral tradition, however, added a number of rules and regulations. First of all, it interpreted the words: "Seven days ye shall eat unleavened bread (*Matzot*)" (Leviticus XXIII, 6) as an obligation to eat *Matzot* during Passover. Since it was impossible to construe it literally, for a man may, either by personal choice or because of physical condition, feed only on vegetables or fruit and very little bread, the obligation was limited to a minimum. A Jew must eat, at least on the first night of Passover, a piece of Matzah the size of an average olive, in order to discharge that obligation, and as this is the performance of a precept a special benediction is pronounced. Secondly, the Matzah, in order to be entitled to that specific name, must be baked only from flour of the following grains—wheat, barley, rye, oats, and spelt—and without salt. Again, it was argued that since the Bible in one place (Deuteronomy XVI, 3) calls Matzah the "bread of affliction," it must be prepared in the simplest way, as the poor would prepare it, namely, of flour and water. If any other liquid is used, such as wine, milk, or the whites and yolks of eggs (*Matzah Ashirah*), it may be eaten, but not as the obligatory portion on the first night of Passover.

The most popular feature of Passover is the cluster of

ceremonies which attend the meal on the first night of the festival. In the lands of the Diaspora the ceremony is repeated on the second as well, and on both nights it is observed with special pomp. On this account it received later the name *Seder*—a name unknown in Talmudic times—which signifies that there is a fixed order and system in the observance of the details and ceremonies accompanying the meal.<sup>5</sup> The origin of the special attention given to the meal goes back to the time of the Temple and was due to two factors. The first was the eating of the Paschal Lamb which was obligatory upon each family or group who gathered together for that meal, and hence the meal by its very nature was a group meal and, consequently, formal. The second was the injunction of the Torah that the story of the Exodus be recited on the first night of Passover, which was done in the presence of a group, while the children were encouraged to ask questions regarding the event and the various ceremonies attending the formality of the meal. Eating of the Paschal Lamb was accompanied, as the Bible says, by the partaking of bitter herbs (*Moror*), the usual way of eating roast lamb in those days. Again, at formal and joyful meals, wine was drunk both in connection with the *Kiddush* and otherwise. It was therefore accepted that at this grand and festive meal four cups of wine be drunk—no more, no less. In time it became an obligation. When the Temple was destroyed certain ceremonies were added as a reminder of those times and thus the *Seder* was evolved. It seems that this took place very early, for a number of the old *Mishnot* give the entire arrangement, and some of the statements even refer to customs which were prevalent at least half a century before the destruction of the Temple. It can be assumed, then, that at the beginning of the Common Era, the *Seder* was much similar to its present form.

We will present the order of the *Seder* ceremony and offer

<sup>5</sup> The term *Seder* is not found until the 11th century. It is suggested however, that it has its origin in the expression found in the *Tosefta* (*Berakot*, Ch. IV, 8) where in the discussion about the ceremonies of a formal festive meal it is said, "This is the *Seder* of the formal meal."



explanations of the various ceremonies subsequently. The table is arranged festively. At the head of the table a plate with three Matzot is placed, and another containing the following items: a piece of roast meat, an egg, *Moror*, *Haroset*, and a vegetable. The seat of the head of the family is furnished with cushions and he sits half reclining.

The *Seder* begins with the *Kiddush* over a cup of wine. The next step is the ablution of the hands with the omission of the usual benediction, and this is followed by eating a small portion of some vegetable, such as potato, cucumber, etc., dipped in salt water, after the recitation of the proper benediction. The head of the family then breaks the middle Matzah and reserves half of it for the end of the meal as the *Afikomon* (dessert).

With these preliminaries over, the *Seder* continues with the recitation of the *Hagadah*, which opens with the four questions propounded by the youngest child at the table. The questions concern themselves with the ceremonies of the *Seder*, and judging from their content, they are very old. They are: Why is only Matzah eaten this night? Why only *Moror*? Why the ceremony of dipping food in liquids twice? (See below.) Why do you sit leaning on cushions? The *Hagadah* which purports to be a detailed answer to the questions is then recited. At the end of the recitation of the *Hagadah*, the second cup of wine is drunk.<sup>6</sup>

The meal begins with a few ceremonies; first, two benedictions are pronounced—the *ha-Motzi* and a special one over the Matzah, followed by the eating of a portion of the *Moror* dipped in the *Haroset*. This is supplemented by a *Moror* sandwich and a statement is made that this is done as a memento of a custom practiced by Hillel in the time of the Temple.

<sup>6</sup> The four questions are given in the standard version which is found in the early Codes—Maimonides and Vitri—but the version in the Mishnah does not give the last question and instead has the following: Why do we every night eat all kinds of meat, whether cooked, potted or roasted, while this night of Pesach only roast meat? This question was asked when the Paschal Lamb, which was roasted, was eaten, and no other meat was permitted.

At the end of the meal the *Afikomon* (dessert in Greek) is produced and is followed by grace, after which the third cup of wine is drunk.

With the completion of the meal, the second part of the recitation of the *Hagadah* begins. It opens with the recitation of four verses, two from Psalm LXXIX, 6, 7; one from Psalm LXIX, 25; and one from Lamentations III, 66, all of which contain a plea for the destruction of the enemies of God and Israel. It is customary to open the door while these verses are recited. This is followed by the reading of the larger part of *Hallel*—Psalms CXV–CXIX, and also Psalm CXXXVI, together with a poem of praise to God called *Nishmat*. It is also customary to fill a cup of wine symbolically called the Cup of Elijah the Prophet. The fourth cup of wine is then drained. This practically completes the *Seder*. In later times, however, several more poems composed by poets in Palestine and other places were added.

In attempting to understand the meaning and rationale of the ceremonies connected with the *Seder* we must bear in mind two things. First, that the Exodus was the momentous event in Jewish history and the perpetuation of its memory by numerous symbolic ceremonies is continually enjoined. Consequently, ceremonies which were practiced during the time of the Temple, in accordance with the sacrificial cult, were retained even later, though in modified form, in order to retain the pristine character of the feast as much as possible. Second, that Passover was believed to be the time set for the future Messianic redemption of Israel just as it was in the time of the first deliverance. Hence the insistent retention of the ancient ceremonies which express the deep longing of a martyred people for redemption.

It is with these things in mind that we can understand the significance of almost every ceremony. The Torah states (Exodus XII, 8) that the Paschal Lamb shall be eaten roasted and with Matzot and *Moror*. It was probably eaten in that way at the time of the Exodus and the custom was

continued during the time of the Temple when the Paschal Lamb was also sacrificed. However, to assuage the pungency of the bitter herbs, a mixture of various crushed fruits and wine (*Haroset*) was used in which the herbs were dipped. Hillel, a famous scholar, who lived at the beginning of the first century, c. E., because of his interpretation of the verse in Exodus XII, 8, enjoining the eating of *Moror*, ate not only the roast with *Moror*, but the Matzah with it as well. When the Temple was destroyed the Rabbis retained as many of the customs as possible. It was not possible to retain the Paschal Lamb for it was a sacrifice which could be brought only to the Temple, but the eating of the *Moror* was made obligatory by Rabbinical ordinance, and consequently a benediction is pronounced over it. The *Moror* was then endowed with a meaningful interpretation, to wit, that it serves as a symbol for the bitterness of the suffering which the Jews had undergone in Egypt. Similarly a symbolic meaning was imparted to the *Haroset* which was retained,<sup>7</sup> namely, that it resembles clay and reminds us of the fact that the Jews in Egypt were compelled to work in clay to make bricks.

However, it was also thought necessary to have at the *Seder* ceremony symbols of the Paschal Lamb as well as of the other sacrifices, *Shelomim* or *Hagigah* brought on each of the three principal holidays when the Jews came on their pilgrimage to Jerusalem. It therefore became customary to place on the *Seder* plate a piece of roast meat and an egg—the egg was substituted for the second piece of meat—to serve as a reminder of the former sacrifices, the *Paschal Lamb* and the *Hagigah*.

In early times it was customary, at a formal meal, to eat vegetables dipped in vinegar or salt water as an appetizer. Similarly, it was customary, as a result of the laws of purity which were observed in the times of the Temple, to wash the

<sup>7</sup> According to the Mishnah (Pesahim X, 3) *Haroset* is not a *Mitzvah*, but was used merely as a means to lessen the bitterness of the herb.



hands before tasting food.\* Both of these ceremonies were retained even in later times in order to keep the formality of the feast in its full glory. Since the usual vegetable used for the purpose in Babylonia—as mentioned in the Talmud—was called *Karpas* in Syriac, which means celery or parsley, the ceremony is denominated *Karpas* in the program of the *Seder*.

In the Eastern lands in olden times, chairs were little used and people sat on the floor. Important guests at a grand feast were seated on couches and leaned back on cushions. Since Passover is the festival of freedom, all people at the meal were seated on couches propped up by cushions to display their dignity and importance. Later, when chairs were introduced, only the head of the house followed this custom.

Of the four cups of wine which are drunk at the *Seder*, the first is for the *Kiddush* and the third for grace after the meal, which was formerly recited over a cup of wine at any meal partaken of by three men. The other two cups are a mark of joy at the event of freedom. Agadists and sermonizers attempted to supply another reason for the prescribed number and saw in it a symbol of the four phases which distinguished the Exodus. Be that as it may, in the course of time the four cups of wine became the most prominent feature of the *Seder* and it was considered a necessary condition for its performance and was raised to the rank of a *Mitzvah*. It is stated in the Talmud that even the poorest of the poor must obtain the necessary amount of wine, and if he cannot afford it, he is supplied with it by the community. In the time of the Temple it was desired that people should thoroughly enjoy the Paschal Lamb which was the main symbol of the Exodus and not partake of other foods. It was therefore said that there is to be no dessert after

\* However, as stated above (p. 65) no benediction is pronounced on the ablution for there is a difference of opinion among scholars whether ablution is necessary before the eating of fruits or vegetables or not.

eating the meat of the lamb. The dessert was called in the vernacular *Afikomon*, a distorted Greek word. In order that this ancient custom be remembered, the meal is concluded with the eating of the *Afikomon*.

Passover was believed to be the time set for the future redemption of Israel, and since the Jews looked forward through the centuries to this happy time, that longing was symbolized by the cup of Elijah who, according to Malachi III, 23, and numerous passages in Talmudic and Agadic books, will precede the Messiah. To emphasize this hope and longing, the door is opened as if to welcome Elijah. The verses recited then voice the cry of Israel for redemption and its prayer that punishment be meted out to its cruel enemies. We can forgive a martyred people which in a moment of joy at a past redemption, coupled with expressions of passionate longing for a future one, allows itself to say a few harsh words about its enemies who are always present in one place or another.

Passover, thus, through its web of numerous ceremonies which remind us so strongly of the past and point towards the hope of the future and which bring change in the ordinary monotony of life, occupied an important place in Jewish life and, in the past, was awaited with eagerness, especially by the young. In spite of the burden of labor and cost it involved, it was, and still is, cheerfully greeted by all, even by the poor who are helped to meet its obligations by the community. It was the custom of old in Jewish communities to establish a fund for the purpose of helping the poor defray the special cost of Passover. This fund is known as *Maot Hittim*, i.e., money for the purchase of wheat, since Matzah made of wheat flour was the principal expense, but the fund was not limited to Matzah only, but covered all other items. As a result, the evening of the *Seder* was the most cheerful evening in the home of rich and poor alike.

## 13. SHABUOT

This festival which is celebrated on the sixth of Sivan is designated in the Bible by several names. First, it is called *Hag ha-Kazir* (Exodus XXIII, 16), then again, *Yom ha-Bikkurim* (The Day of the First Fruits) (Numbers XXVIII, 26), and finally, *Hag ha-Shabuot* (Feast of Weeks) (Deuteronomy XVI, 16). All three names denote the same aspect of the festival, namely a day of rejoicing and praise to God at a season of agricultural importance in Palestine. The harvest of wheat and the beginning of the ripening of the fruits of the trees occurred at the same time and this led to the use of the first two names for the festival. The name Shabuot is given to it because it marks the end of a seven week period between the beginning of the harvest in the fields, especially that of barley, and its close with that of wheat. These seven weeks begin on the first day of the Passover when, as a sign of thankfulness, the *Omer*, a measure of barley, was brought to the Temple as an offering. From that day, the days were counted for seven weeks or forty-nine days, and the fiftieth day was the festival of weeks, Shabuot. The custom of counting the days between the two festivals was continued even after the destruction of the Temple and is practiced today, though no *Omer* is brought nor are there days of harvest. The counting is done at the evening service, and the six weeks between the end of Pesach and Shabuot are popularly called *Sefrah* days, i.e., numbered or counted days.

In the time of the Temple, Shabuot was marked by a special ceremony of bringing *Bikkurim* to the Temple, namely, owners of orchards all over Palestine brought their first fruits as an offering. The ceremony was performed with great pomp and hilarity, inasmuch as the people gathered in groups for that purpose and marched together, accompanied by song and playing of fifes and beating of drums.

All this, however, belongs to the distant past though in present day Palestine attempts are being made to reinstitute the ceremony of *Bikkurim* in a modern form. In later times,



the Shabuot festival underwent a complete metamorphosis and was endowed with a spiritual and historical aspect, being designated as a celebration of the giving of the Law (Matan Torah) and it is in this connection mentioned in the prayers. The festival, however, has no distinguishing ceremonies, for the early ceremony of *Bikkurim* could not possibly be retained. However, it is customary among the learned and very observant to devote the entire night preceding the holiday to the study of the Torah, and a text-book known as *Tikkun Shabuot* was compiled for that purpose. Some relic of the earlier character of the festival was also retained in a custom which was practiced by many to decorate the homes and the synagogues with flowers, ferns, and leafy twigs.

#### 14. GENERAL RULES COVERING THE FESTIVALS (*Yomim Tobim*)

*Yom Tob* is, like the Sabbath, a day of rest, and work is prohibited, with this distinction, that all work done in preparation of food for the day, such as cooking, baking, and the like, is permitted. It follows, of course, that kindling of fire is also permitted, the rule being that since kindling of fire is permitted for the preparation of food, it is also permitted for other purposes. Hence, when smoking was introduced there was no objection to its use on the holidays except on the Day of Atonement. However, the food prepared must be for that day only; no preparation of food for any other day, even for the second day of *Yom Tob* or the following Sabbath, being permitted. The question then arises as to how food can be prepared for the Sabbath when the holiday falls on Friday. The Rabbis in this case invented a legal device known as *Erub Tabshilin* (mixing of foods). It consists in taking a portion of bread or fish or meat on the afternoon preceding the festival and setting it aside for the Sabbath. This ceremony is construed as a declaration that the preparation of food for the Sabbath was begun before the holiday,

and consequently, the preparation of the food on the holiday is a continuation of that of the day before. It is, of course, a legal fiction, but the festivals, on the whole, bear a more lenient character. Carrying of burdens on the holidays is permitted, but the prohibition against a long walk beyond the fixed limits holds good also for the holidays. Those who had to go beyond that limit had to use the above-mentioned device, the *Erub Tehumin*.

The status of *Hol ha-Moed*, i.e., the intervening days between the first and last days of the holiday, was given above. It may be added that in post-Talmudic times when the economy of the Jews changed primarily to a trade and commercial economy, almost all labors were permitted on *Hol ha-Moed*.

## 15. SEMI-HOLIDAYS

There are several semi-holidays in the Jewish calendar which in turn can be divided into two classes differing in the degree of their importance. To the first class belong Hanukkah and Purim. Both commemorate important events in Jewish history in the post-Biblical period, the former, the victory of the Hasmoneans over the Greco-Syrian king, Antiochus IV, which victory ultimately resulted in liberating Judea from the yoke of foreign subjection, and the latter, the saving of the Jews of the Persian Empire by Mordecai and Queen Esther from the destruction planned by Haman. Both differ little from the ordinary week days as regards work and occupation and are only distinguished by ceremonies peculiar to each.

Hanukkah lasts for eight days, its distinguishing ceremony being the lighting of candles each evening to commemorate the rededication of the Temple to the worship of God by Judah Maccabee in the year 165 B. C. E. after it had been for a time devoted by the Greco-Syrians to the worship of Zeus and other Greek gods. This rededication made possible the relighting of the Menorah of seven branches which

was an important fixture in the Temple. There was also at the time a general feast of dedication for eight days participated in by the people, jubilant at both the military victory and the purification of the Temple. This feast was most likely celebrated by ceremonies of illumination. Hence the ceremony of lighting the candles for that number of days symbolizes the lighting of the holy candlestick as well as the general illumination. However, in order that interest should not lag as the days pass, it was established by the School of Hillel that the order of the lighting of the candles should be gradual, namely, one on the first night, increasing the number daily by one until it reached eight.

Hanukkah is also distinguished in its morning service by the recitation of *Hallel* (Psalms CXIII–CXVIII). The people, though, added to Hanukkah something of their own besides the prescribed ceremonies. It was marked by a certain spirit of hilarity; parties were given and games of chance including cards were played. Especially was that hilarity manifested among the children who were usually given gifts of money which in European countries bore the special name of *Hanukkah Gelt*. They also invented a game of chance consisting of the spinning of a metal or wooden top (*dreidel*) on which Hebrew letters are engraved, the winnings being determined by the letter on which the top rests.

With the rise of the Jewish national movement known as Zionism, Hanukkah assumed a new dignity and value as the national element was added to the religious. Its days became days of Zionist propaganda and a number of public meetings and parties are held during that week. The heroism of the Maccabees in liberating their country from foreign subjection became a source of inspiration for Zionist endeavor.

The story of Purim as well as the derivation of its name are well known. The story is told in the Book of Esther, and the name is said to be derived from a foreign word, most likely from the Persian *Pur* which means casting of lots



(Esther III, 7). It is celebrated on the fourteenth day of the month of Adar. The principal ceremony connected with the day consists in the reading of the Scroll of Esther at the evening service of the thirteenth and the morning service of the fourteenth. Another ceremony which is prescribed in the Scroll itself is the exchange of gifts and the distribution of charity. However, since the Scroll designates it as a day of cheer and joy, it subsequently became a day of public festivity, though there is no cessation of work. It is usually climaxed by a festival in the late afternoon known as the *Seudah*. In European countries, where the general carnivals consisting of parades, mimic plays, and masquerades took place at about the same season of the year, the celebration of Purim was influenced by the customs of the environment. Consequently on this day plays were produced by amateurs, representing scenes from the events related in the Scrolls, and at times, also from other Biblical events. The amateur players were known as *Purim Spielers*, Purim actors. In some communities in the mediaeval ages children used to burn a straw effigy representing Haman, a custom borrowed from the carnival ceremonies.<sup>8</sup> From that there spread a milder form of expression of both protest against the Jew hatred typified in Haman as well as of the hilarity which is still practiced in the synagogues, consisting of a blaring of various instruments by the children whenever the name of Haman is mentioned during the reading of the Scroll. Besides, Purim became a day of excessive feasting and also drinking in a goodly measure, which in turn resulted in the preparation of special dishes and pastries. Needless to say that there was much jesting on that day and expression of witticisms. Due to these features, Purim left a great impression in life and literature. It gave an impulse to the development of dramatic art among the Jews, and also to an incipient theatre. In literature it helped to develop the drama, the parody, and other kinds

<sup>8</sup> On the carnival ceremonies see *Encyclopaedia of Religion and Ethics*, article—Carnival.

of humorous literature.<sup>9</sup> In general, in former ages, it somewhat relieved the otherwise gloomy ghetto life.

## 16. ROSH HODESH

The first day of the month, often the first two days of the month (see below), have some slight holiday characteristics. In Biblical times, it was considered of great importance, the Prophets often coupling it with the Sabbath (2 Kings IV, 23; Isaiah I, 13). From a verse in Amos (VIII, 5), it can be inferred that even commerce was abstained from. However, this must have been a custom prevalent in certain localities and has no legal sanction. In the Talmud it is explicitly stated that *Rosh Hodesh* does not differ from any ordinary day.<sup>10</sup> Still, a relic of the old custom was left in the fact that some women abstained from unnecessary work on the first of the month, a custom which is mentioned in the Talmud and lingered for a long time, but has now fallen into desuetude. The only distinguishing mark of *Rosh Hodesh* is in the prayer service which is distinguished by the recitation of the *Musaf* and *Hallel*.

## 17. FIFTEENTH OF SHEBAT AND LAG B'OMER

These two days, the fifteenth of Shebat and *Lag B'Omer* (i.e., the 33rd day after the *Omer* has begun to be counted), which possess a touch of festivity, are hardly distinguishable by any ceremonies or special customs. Even the time of their origin is not definitely known. There is no reference to the festival of the 15th of Shebat in earlier literature as it was instituted much later, and was intended to keep the memory of *Eretz Yisrael* fresh in the mind of the Jews. It may, however, have its origin in a statement of the *Mishnah* bearing

<sup>9</sup> On Purim literature, see Waxman's "A History of Jewish Literature," Vol. II, p. 606 ff. and 658 ff.

<sup>10</sup> Babylonian Talmud, *Hagigah* p. 22 Palestinian Talmud, *Taanit*, Ch. 1.

upon a legal matter. It says that that day marks the beginning of a year of growth for the trees,<sup>11</sup> and hence the custom to partake on that day of the fruits which grow in Palestine was introduced. At present the day is celebrated in modern Palestine as Arbor Day, on which many young trees are planted.

*Lag B'Omer* is mentioned in the Talmud (Yebamot 62b)<sup>12</sup> as the day on which a plague which raged among the numerous disciples of Rabbi Akiba ceased, but no reference to the day as one of festivity is made. However, in later times, it assumed that character primarily because it serves as a break in the semi-mourning days of *Sefirah* (see below).

The festive aspect of *Lag B'Omer* was manifested primarily in the schools. In the towns of Eastern Europe Jewish schools were closed for the day, and the pupils, accompanied by their teachers, spent the day picnicking in the woods where they engaged in games of a military character, carrying home-made bows and arrows and shooting at targets. This offers a clue as to its origin, which probably was a celebration of some military victory in the War of Bar Kokhba, which Akiba and his disciples enthusiastically supported. The enigmatic words of the Talmud that *Lag B'Omer* marked the cessation of a plague among Akiba's disciples may refer to this military victory which kept down the casualties among them to a minimum. All this is pure conjecture as we have no records, but the memory of the people must have retained some dim recol-

<sup>11</sup> Rosh ha-Shanah for trees is a term used in the *Mishnah* (*Rosh ha-Shanah* Ch. I, 1), primarily as a legal term in regard to giving of tithes (*Maaser*) from fruit, namely that the year for giving of tithes for the fruit of trees is reckoned from that date, the time of their bloom; for the different tithes vary according to the years in the seven year cycle (*Shemitah*) as follows: The first year, two tithes are given, known as first and second; the second is to be brought to Jerusalem and eaten by the owner, the first is given to the Levites. The second year, the process is repeated, but that year a tithe for the poor is substituted for the second tithe. The process is repeated in the second triad of the circle. Hence if trees bloomed before the 15th of Shebat of the third year, the tithes are given as of the second year and not as of the third.

<sup>12</sup> According to an improved reading in that passage which shortens the time of the disciples' death to two weeks before Shabuot, i.e., *Lag B'Omer* instead of the ordinary reading which says that the plague lasted from Passover to Shabuot.



lection of such an event and commemorated it through the ages.

## 18. FASTS AND DAYS OF MOURNING

There are five public fast days in the Jewish religious calendar, not counting the Day of Atonement. They all commemorate historical events, four in connection with the loss of independence and the destruction of the Temple, and one in connection with Purim. They occur as follows: (1) *Asarah be-Tebet* (10th of Tebet), the day on which the siege of Jerusalem by the Babylonians in the year 588 began; (2) *Shibeah Asar b'Tamuz* (17th of Tamuz), the day on which the Romans broke into the city in the year 70 C. E.; (3) *Tisha b'Ab* (9th of Ab), the day of the destruction of the Temple, both in 586 B. C. E. and in 70 C. E.; (4) *Zom Gedaliah* (3rd of Tishri), the day on which Gedaliah, the Jewish governor, appointed by the Babylonians after the fall of Jerusalem, was killed; and (5) *Taanit Esther* (13th of Adar), in memory of the fast proclaimed by Queen Esther when she was informed of the decree of Ahasuerus ordering the destruction of the Jews.

All these fasts with the exception of *Tisha b'Ab* last from sunrise to sunset, and only eating and drinking are prohibited but no other comforts. *Tisha b'Ab* is a day of mourning, and its rigor is similar to that of the Day of Atonement. It lasts from sundown on the eighth of Ab to sundown on the ninth, and besides food and drink, bathing, anointing oneself with oil, and wearing of shoes are prohibited. At the evening and morning services *Ekha* (The Scroll of Lamentations) is read. It has also been customary for centuries to lower the lights in the synagogue and for the worshipers to sit in stockinged feet as is the custom in mourning for the dead. Several of these customs were modified in modern times, though in Oriental communities they are strictly observed. At the morning service, the phylacteries and prayer shawl are omitted to indicate grief and are put on instead at the afternoon service.

At the morning service numerous religious poems and elegies composed by poets of the Middle Ages are recited.

The expression of grief at the destruction of the Temple and loss of national independence symbolized by the observance of *Tisha b'Ab* is, to a degree, extended to the eight days preceding the fast. These days of mourning, including the fast day, are known as the *Nine Days*. During these days, observant Jews abstain from eating meat, drinking wine, and from cutting their hair, and likewise weddings and engagements are deferred for other dates. Even the Sabbath falling at this period has a gloomy air, though the restrictions regarding the eating of meat and drinking of wine are suspended in honor of the Sabbath. In certain communities of Germany it was known as the "Black Sabbath." Its general appellation, however, is *Shabat Hazon*, so named after the portion from Isaiah, Chapter I, which is read at the service and which begins with the words, "*Hazon Yeshayohu*" (The Vision of Isaiah), in which the Prophet chastises Jerusalem for its sinful ways and prophesies its destruction. These regulations regarding the Nine Days go back to early times as we find them stated in the Mishnah (Taanit IV, 7) compiled about 210 c. E. In later times, in the communities of Germany and Eastern Europe, some restrictions, especially in the deferment of weddings, were extended to the three weeks preceding the fast, from the 17th of Tamuz to the 9th of Ab, thus giving to the period its name in the language of the people, "The Three Weeks."

Another period in which a mild form of public grief is expressed consists of thirty-three days out of the forty-nine days between Passover and Shabuot, which are known as the *Sefirah* days on account of the counting of the *Omer* at the time. The principal restriction is the deferment of weddings during that time. There was, however, great variety in fixing the beginning of these days. Some communities counted from Passover to *Lag b'Omer*, and some from the first of the month of Iyyar to the third of Sivan, *Lag b'Omer* itself excepted. The origin of that custom cannot be definitely established. The usual reason given is that grief is expressed at the memory

of the numerous disciples of Akiba, who, as stated above, died in a plague during that period. The Talmud, however, which mentions that event, does not enjoin any restrictions. It is possible that the folk-mind harbored some dim recollection of a disastrous defeat in the course of the War of Bar Kokhba against Rome in which Akiba and his disciples took a leading part. But it is also possible that the custom became prevalent in the 12th century in Franco-German Jewry after the massacres of the First Crusade and later spread to other countries.

### 19. THE JEWISH CALENDAR

The Jewish year is a lunar year consisting of twelve lunar months, the months being determined by the time of the revolution of the moon around the earth. That revolution is accomplished in 29 days, 12 hours, and 793 parts of an hour divided by the number 1080. Up to the year 363 c. e., as long as the *Sanhedrin*, the Jewish Supreme Court and highest religious authority, existed in Palestine, the day of the beginning of a new month was determined by that body according to the birth of the new moon. Witnesses who noticed its almost indistinguishable appearance testified to the court on the same day, and the entire court or a committee thereof declared that day *Rosh Hodesh*, i.e., the first day of the month. But if for one reason or another, the witnesses could not report on that day but did so on the next, the day following the appearance of the moon was declared *Rosh Hodesh*. Consequently, there were months of 29 days when testimony of the birth of the new moon was given on the same day, and months of 30 days, namely, when witnesses failed to report on the 30th day, and the day was then counted to the preceding month. The declaration of *Rosh Hodesh*, technically called *Kiddush ha-Hodesh* (the sanctification of the month), was broadcast by lighting of bonfires on high places and waving of torches from stations on mountain tops so that the people throughout Palestine might know when the month began by official reckoning in order to prepare for the holidays which



take place in certain months of the year or for general reckoning. In the six months in which the holidays or semi-holidays occur, messengers were sent by the Court immediately after the declaration of *Rosh Hodesh* to the nearby Jewish communities of Syria to inform them of the exact day so that they might know when to declare the holiday. These months were Nisan- Passover; Ab- fast day on the 9th; Elul- Rosh ha-Shanah; Tishri- Day of Atonement and Succot; Kislev- Hanukkah; Adar- Purim. No information was necessary in Sivan for Shabuot as its date was determined by the counting of forty-nine days from the first day of Passover.<sup>13</sup> It is, of course, understood that in Temple times there was no *Tishah b'Ab*.

The more distant communities throughout the Diaspora which could not be reached by messenger added an extra day to the holidays, viz. Passover was celebrated for eight days instead of seven, Succot nine days instead of eight, Shabuot and Rosh ha-Shanah two days each instead of one. In this way they guarded themselves against any possible change in the fixation of the first day of the months in which the holidays take place. This, then, is the origin of the additional day as celebrated by Jewry in the Diaspora with the exception of the Reform faction in late modern times, and is accordingly called *Yom Tob Sheni Shel Galuyot*, i.e., the second day of the holiday celebrated in the Diaspora.

In the year 363, Hillel the Second, the Nasi or head of the *Sanhedrin*, realizing that, due to political and other conditions, the continued existence of the *Sanhedrin* was uncertain, rescinded the earlier method of determining *Rosh Hodesh* by observation and testimony and established a permanent calendar (*Luah*) according to reckoning and calculation. Its principal features are as follows: Since it is impossible to begin a month in the middle of a day or an hour, the year was divided

<sup>13</sup> The question arises how did these nearby communities celebrate Rosh ha-Shanah on the exact day, since on that day no messengers could be sent. The answer is given that as a rule they celebrated it on the 30th of the month of Elul which they declared the first day of Tishri, for most years Elul had only 29 days even in Palestine.

into twelve months, six of which consist of twenty-nine days each and six of thirty days, thus making a total of 354 days. This equality of division of the month is, however, theoretical and not always observed in practice. Account had to be taken of the 793/1080 of an hour which completes the lunar month and which amounts to close to forty-four minutes and three and one half seconds. In order to account for that portion of time which during the year accumulates to a little over one third of a day and also because of certain other factors, such as the rule that Passover and Rosh ha-Shanah must not begin on certain days, the equality of the division of the month is frequently disturbed.<sup>14</sup> It was decided according to mathematical calculation to choose the months of Kislev and Heshvan and assign to them at fixed intervals various numbers of days. In certain years, both of these months have thirty days each, thus making seven months of thirty days (*plena*) and five of twenty-nine, and the year of 355 days. In other years, the regular order prevails, i.e., one of these months has thirty days and the other twenty-nine days, and the year has the regular number of days, 354; and in still other years, both of these months have twenty-nine days each, which means that in that year seven months have twenty-nine days and only five have thirty, resulting in a short year of 353 days.<sup>15</sup> There

<sup>14</sup> Rosh ha-Shanah cannot come on Sunday, Wednesday, or Friday, for in the first case, *Hoshannah Rabba* would fall on Saturday, and the rite of taking the willow branches could not be performed, and in time it might be forgotten. In the other two cases, Yom Kippur would come either on Friday or Sunday which would cause great hardship, having the Sabbath and Yom Kippur follow each other—both days on which labor of any kind is prohibited. If Rosh ha-Shanah cannot come on any of these three days, it follows *eo ipso* that Passover cannot come on Monday, Wednesday, or Friday. If the birth of the moon of Tishri happens to fall on any of the three days, Rosh ha-Shanah is postponed for a day. All these cause a change in the number of days in the years in making some to consist of 355 days instead of 354.

<sup>15</sup> Since the calendar is well established according to calculation by many scholars of many generations, printers of calendars in present days usually place on the title page certain letters which indicate the character of the year, namely, whether it is regular or has seven full (30 days each) months, or vice versa, seven defective (29 days each). The letter *Het* signifies defective; *Shin* means full, while *Kaf* denotes regular. These letters are preceded and followed by two others, the first indicating the day of the week on which the first day of Rosh ha-Shanah falls, and the last that of the first day of Passover.

was, however, another difficulty to be straightened out in order to make the Jewish calendar a workable one, and that was to reconcile the lunar year with the solar, which being  $365\frac{1}{4}$  days is longer than the former by eleven and one fourth days. Were this not done, the Jewish holy days would circle around through all the seasons of the year as is the case in Islam, and Passover would sometimes come in the spring and sometimes in the summer, and at times, in the fall, etc. But the Bible says distinctly that Passover is to come in the spring and Succot at the ingathering of the fruits, i.e., at the end of the summer. In order that this be avoided, the device of intercalation or the adding of a month to the year was resorted to. Formerly, this was also enacted by observation. When the lunar year fell behind the solar for some time and Passover was about to take place considerably before spring, the Court decided to add another month. When the permanent calendar was established by calculation, a cycle of nineteen years was taken as a basis and seven years of that cycle were declared to be leap years consisting of thirteen months each in the following order: the 3rd, the 6th, the 8th, the 11th, the 14th and the 19th years of the cycle.<sup>16</sup> The additional month was placed, as in early times, between Adar (12th month) and Nisan (1st month) and is called *Adar Shéni* or *we-Adar* and is always of twenty-nine days' duration. The leap year is technically called *Shanah Meuberet*, i.e., a pregnant year, and the adding of the thirteenth month, *Ibbur*, for the addition is figuratively expressed as if the year is impregnated with another month.<sup>17</sup>

<sup>16</sup> The total number of  $7 \times 29$  amounts to 203, while the total of  $19 \times 11$  equals 209. The difference is made up by the other factors, spoken of above, which bring about an additional day to a year and also, if necessary, a day is added to the first Adar.

<sup>17</sup> The order of the months is as follows: Nisan—30 days; Iyyar—29; Sivan—30; Tamuz—29; Ab—30; Elul—29; Tishri—30; Heshvan—30 or 29; Kislev—30 or 29; Tebet—29; Shebat—30; Adar—29, in a leap year 29 or 30; Adar Shéni—29.



## CHAPTER III

### INSTITUTION OF PRAYER

#### 20. INTRODUCTORY

Prayer is one of the oldest religious institutions. There is hardly any religion in the world of which prayer is not the most important component. Its origin lies in the very nature of the human soul. Man, feeling forsaken in the vastness of the universe, turns to God for protection. At other times, man desires to offer his thanks to God for the good He has bestowed upon him, or he longs to commune with Him, and he expresses this desire and longing in prayer. At still other times, he is weighed down by a sense of guilt and sin, and he lightens his burden by confessing his sins before his Maker. There are, accordingly, several types of prayers—a plea for intercession on man's behalf, a prayer of praise, or of confession. Underlying all types is the belief that the relation of man to God is as that of a son to his father, and he can, therefore, turn to Him in accordance with the moods of his soul.

It follows, of course, that Judaism which emphasizes the Fatherhood of God should place a high value upon prayer. The Bible is replete with prayers of all types and the Book of Psalms is nothing but a collection of prayers uttered by the noblest singers and pious men of Israel. Yet we find no reference in the Biblical books, with the exception of Daniel which is of post-exilic origin, to prayer as a regular daily institution. Nor is the duty to pray considered one of the 613 precepts. It is assumed to be a Rabbinical ordinance (see below). In Biblical times prayer was a personal matter. People prayed whenever they were moved to do so. Thus we find prayers by Moses (Exodus XXXII, 11–14; Numbers XII, 13; XIV, 14–20);

by Hannah (I Samuel Ch. II, 1-11); by David (I Chronicles XXIX, 10-20), besides the Psalms ascribed to him; and by Solomon (I Kings VIII, 23-53). We are also told that after the victory of King Jehoshaphat over his enemies, the people gathered in a valley which was later called *Emek Berakah* (Valley of Blessing), for there they blessed and praised God.

*Berakah* and *Tefillah* are the terms most frequently used in the Bible for blessing and prayer, respectively—the first is derived from the root *Barokh*, i.e., to kneel, and the second from *Palel*, to address a judge or high power.—We also find the terms *Hallel* (praise) and *Shebah* (adoration) mentioned in the Bible.

The number and frequency of the terms shows us that prayer was prevalent in Israel even in early times, but as said, it had not yet become an institution determined as to time, number, and form.

The beginning of the institution of prayer is to be traced to the time of the Babylonian exile. During that period, when many of the previously existing forms of public worship had been eliminated, such as the Temple and public sacrifices, there arose on the part of the individual Jew an intense desire to come into close contact with God and commune with Him. As a result, prayer became a daily affair, and we read in the Book of Daniel: "And his (Daniel's) windows being open in his chamber towards Jerusalem, he kneeled upon his knees three times a day and prayed and gave thanks before his God as he did aforetime" (Daniel VI, 11). From this statement we can infer that at the time when the book was composed, the custom of praying three times daily had already become prevalent and established. The tradition in the Talmud ascribes the establishment of the institution of daily prayer to the Great Assembly whose activity lasted for over one hundred years, approximately from the last third of the fifth to the last third of the fourth centuries B. C. E.<sup>1</sup>

<sup>1</sup> According to the Talmud only the morning and afternoon prayers are obligatory for they were connected with two daily public sacrifices, the *Temidim* which were brought in these hours. The evening service is a matter of choice or voluntary (*Reshut*). There was, it is true, a difference of opinion

Be that as it may, there is no doubt that the institution of regular daily services was in existence during the larger part of the period of the Second Commonwealth, for a very early *Mishnah* (Tamid V, 1) tells us that important portions of the morning prayer were recited in the Temple. From the time immediately after the destruction of the Temple, we have the fixation of the leading part of the three daily services, the *Shemoneh Esré* or the Eighteen Benedictions. From the text of several of the benedictions we may assume that the fixation only was enacted in the Academy at Jabne, but that the recitation of the benedictions was in vogue much earlier. It can, therefore, be said that a great portion of the daily prayers was recited by Jewry for at least a period of 2000 years. That prayers were added in later centuries and the prayer-book underwent a process of growth is superfluous to say, but even the complete prayer-book, slight modifications notwithstanding, has a history of close to 1000 years.

The first attempt to organize the various prayers into some kind of formal system was made by the Gaon Natronai, son of Hilai (ca. 860), who is reputed to have sent to the Jewish community in Alessano, Spain, the order (*Seder*) of the daily prayers. However, since the text of that *order* is lost, we do not know its nature. It appears, though, from references by later authors that the order was not a complete one, as it contained only the principal prayers together with the more important benedictions for other occasions, such as those for grace after meals. His disciple, Amram Gaon, left us a complete *Seder* or *order* of prayers. This work contains the text of the prayers for the whole year together with the laws relating to liturgy. Saadia Gaon (892-942) compiled his own *Seder* which contains the text of the prayers as well as the laws governing them and a number of sacred poems, mainly his own. Maimonides also gave a standard text of prayers for the entire year in the first part of his Code, though in a succinct

on this matter, but the above opinion prevailed at the Council in Jabne held at the end of the 1st century c. e. There is, however, a part of the evening service, the *Shema*, which all agree is obligatory. Besides, it has been the practice of Jewry for at least 1800 years to pray three times daily.



manner, and Rashi compiled a *Seder* of prayers which set forth the order and the laws affecting them, but the text is only referred to. The first four collections represent one of the two main forms of the Jewish liturgy, namely, the Spanish or Sefardic, while the last represents the German or Ashkenazic form. The first seems to stem from Babylonia, since the orders of the Gaonim Natronai and Amram were written at the request of Spanish communities, while the last emanated primarily from the schools of Palestine with which the Franco-German and Italian Jewries were in contact. However, the differences between these two forms are not essential, for both contain the same principal prayers, the difference consisting in variations in their phraseology, in the sequence of the minor prayers, or in the omission or addition of a number of liturgical pieces.<sup>2</sup>

The disciple of Rashi, Simḥa of Vitri, compiled a more complete prayer-book containing not only the laws governing the prayers and their texts, but also a large number of sacred poems for Sabbaths and holidays. He called his collection *Mahzor*, i.e., a cycle of liturgy for the entire year. Since he (Simḥa) found imitators who added still more poems, and collections frequently became too voluminous, it became necessary to divide the liturgy into separate collections, one containing the prayers for week days and the Sabbath, and the other, prayers for the holidays only as well as numerous sacred poems. The first bears the earlier name *Seder* or the more popular form *Siddur*, and the second *Mahzor*. With the rise of the Reform and Conservative movements, many changes were introduced in the prayer-book, and, as a result, the size of the collection was greatly reduced, especially in

<sup>2</sup> In addition there are several minor forms of liturgy, the Italian or the Roman, which is a combination of both the Spanish and the German forms, the Romanian, the order of liturgy used mainly by the Jews of Greece or of the Byzantine Empire, including the communities of the Balkan countries, and that of Avignon, an order of prayers followed by four communities in the south of France of which Avignon was the leading one. But with the exception of the Italian, which is still in use by the communities of that country, the other two were replaced either by the Sefardic or the Ashkenazic order of liturgy.

the Reform ritual. But even in the Conservative synagogues where the traditional prayers are recited, the collection is limited to one volume, the *Siddur*, since the sacred poems are reduced to a minimum, except on the high holidays when a *Mahzor* is used.<sup>3</sup>

## THE ORDER OF PRAYERS

### 21. WEEK-DAY PRAYERS

There are three daily services, morning (*Shaharit*), afternoon (*Minhah*), and evening (*Maarib*). The limits set for each of these services are as follows: For *Shaharit* from sunrise to a third of the day, which varies from 10 A. M. to noon according to the season; for *Minhah* from 12.30 P. M. to sunset; and for *Maarib*—the entire night.

The morning service is, on the whole, divided into five parts: (1) Introduction and morning benedictions; (2) Psalms and Doxologies; (3) the *Yozer* including the *Shema*; (4) the *Amidah* or the Eighteen Benedictions; (5) Prayers of supplication. The *Yozer* and the *Amidah* are the most important parts and constitute the body of the service, while the other parts are mainly supplementary. The *Yozer*, named thus after its first benediction or section which begins and concludes with thanksgiving to God for the creation of the luminaries, includes the *Shema* together with two benedic-

<sup>3</sup> The first *Siddur* printed was the one containing the Roman or Italian form. It was published in the year 1486 by the printer, Solomon of Soncino. The first *Siddur* according to the Ashkenazic rite appeared in Prague in 1516. It bears on the title page the motto, "A *Siddur* according to the Polish rite," which is practically the same as the German. The Spanish *Siddur* was printed eight years later, in 1524, in Venice. Since then numerous editions of the *Siddur* have appeared but with little change except for additions of a few prayers bearing the stamp of the teachings of the Kabbala.

However, the spread of the Kabbala among the Jews of the Slavonic countries, especially since the rise of the Hassidic movement, brought about two new versions of the *Siddur*, even among the Ashkenazic Jews, which are in vogue among the Hassidim. One is called the *Nusah Sfard*, and the other *Nusah Ari* (i.e., Isaac Luria, founder of the system of the Lurianic Kabbala). Both retain in the main the German order of prayers with slight changes in the position of several prayers and in phraseology. These changes are borrowed from the Spanish ritual. The *Nusah Ari* contains a number of changes in phraseology introduced by Luria.

tions preceding and one following. The *Shema* consists of three passages from the Pentateuch: (1) Deuteronomy VI, 4-9, emphasizing the unity and love of God and the observance of the precepts; (2) Deuteronomy XI, 13-21, stressing reward and punishment as well as the duty of teaching the Torah to the children; (3) Numbers XV, 37-41, containing the injunction to put fringes (*Zizit*) on the garments and the admonition to remember the Exodus. The two benedictions preceding the *Shema* are the *Yozer* proper and the *Ahabah*. The latter refers to the election of Israel, to God and the Torah, God's eternity, and His promises to the people of Israel, and concludes with a plea for redemption.

The *Shemoneh Esré* (Amidah) consists of two parts; the first part contains the first three and the last three benedictions, and the second part the twelve middle benedictions. The six benedictions in the first part of the *Shemoneh Esré* are recited at all services, while the twelve middle benedictions are recited only on week days. The former are of ancient origin and deal with general religious subjects. Thus, the first benediction of the first triad called *Abot* mentions the greatness and goodness of God and His promise to the patriarchs; the second called *Geburot* describes God's potency as expressed in relation to man, primarily in the promise of resurrection; the third called *Kedushah* speaks of the holiness of God. The last three benedictions—*Abodah*, *Hodayah*, and *Shalom*—contain a plea for life and divine goodness, as displayed in daily human affairs, and a plea for peace respectively. The twelve middle benedictions are both of a religious and national character as more than half are pleas for redemption, restoration of the Davidic dynasty, rebuilding of Jerusalem, and the preservation of the scattered communities of Israel in the Diaspora. Some of these benedictions date from the time prior to the destruction of the Temple, some were added immediately after, as the entire order was established around the year 90 c. e. at the Academy of Jabne. A nineteenth benediction known as *la-Malshinim* (Against Informers) was added somewhat later. However, since it was



a later addition, the name *Shemoneh Esré* was not changed.

Of the two preceding parts, the first is a group of benedictions called *Birkot ha-Shahar* (Morning Benedictions). On the whole, they do not form an actual part of the service and used to be recited privately immediately upon rising. These contain (a) a short Doxology of God wherein His unity, providence, and man's trust in Him are emphasized; (b) a rhymed version of the Thirteen Articles of Creed; (c) a group of short benedictions thanking God for creation of the world, light of day, and various providential acts in regard to the individual and Israel; (d) several short prayers eulogizing the greatness of God and the littleness of man, culled from liturgical pieces in the Talmud. These conclude with the first verse of the *Shema*.<sup>4</sup> (e) The final part consists of a number of passages from the Bible, *Mishnah*, and *Gemara* relating to sacrifices. These passages were inserted as a substitute for the sacrifices so that the institution might not be forgotten. Some rituals also contain the Biblical story of the *Akédah* (Sacrifice of Isaac, Genesis XXII, 1-19).

The second part, the inclusion of which dates from early times, is called *Pesuké di Zimra* (Recitation of Psalms) and consists of Psalm CV, 1-15; 1 Chronicles, Ch. XVI, 20-36; and Psalms CXLV-CL. These are prefaced by a prayer dating from early Gaonic times and known as *Barukh she-Omar* (Praised be He Who Spoke). The Psalms are succeeded by several other Biblical passages, namely, 1 Chronicles, XXIX, 10-13, Nehemiah IX, 6-12, and Exodus XIV, 30-XV, 19 and are concluded with a Doxology. The last part, succeeding the *Amidah*, is called *Tahanun* (Supplication), so named primarily because in early times people recited prayers privately. In time it was standardized and now consists of 2 Samuel, XXIV, 14, and Psalm VI, which is a plea for mercy. This

<sup>4</sup> The recitation of the verse from the *Shema* at this part of the service originated in time of persecution in Babylonia when public service was forbidden and the *Shema* could not be recited. It was then thought advisable to instruct the people to recite at home at least that verse which speaks of the unity of God together with a few preceding short prayers which express the principal ideas contained in the longer service. The custom was continued even after the persecution ceased.

Psalm is recited with bowed head and covered face, a modification of the former custom of prostration. An added plea for the preservation of Israel is joined to the supplication. On Mondays and Thursdays to the *Tahanun* is added a group of prayers of a supplicatory nature called *we-hu-Rahum*, as it opens with the verse: "May He, the Merciful, forgive our sins" (Psalms LXXVIII, 38). The prayers are of ancient origin and anonymous. On the whole, they consist of a combination of Biblical passages and verses excerpted from various books. At the conclusion, Psalm CXLV is recited again and is succeeded by a short *Kedushah* to which a number of verses from Biblical passages are added. The verses of the *Kedushah* are also read in the Aramaic translation. From the 13th century on, it became customary to recite 'Alénu as the final prayer. 'Alénu is taken from the New Year service in which the exaltedness of God, creation, selection of Israel, and the hope for the Kingdom of God are stressed.

The *Kedushah*, which is recited by the cantor or reader when the service is public or communal and is repeated by the congregation, follows the third benediction of the *Amidah*. It is omitted when the *Amidah* is recited privately. This divine sanctification consists of three Biblical verses: Isaiah VI, 3, Ezekiel III, 12 with the addition of a few words from Verse 13, and Psalm CXLVI, 10. The first two verses repeat the sanctification pronounced by the angels and the third proclaims the Kingship of God. These verses are prefaced by a short passage calling upon the assembled to sanctify the name of God on earth just as it is sanctified in heaven by the angels. The introductory passage varies in length and language according to the kind of service, shorter on week days and longer on Sabbaths and holidays. The verses of the *Kedushah* are also recited in connection with other prayers before the *Amidah*, in the first benediction of the *Yozer*, and in the concluding prayer *U-Bo le-Zion*. These are qualified by special names, as the name *Kedushah* without qualification is limited to the one in the *Amidah*.

## 22. PRIESTLY BENEDICTION

The priestly benediction is recited by the cantor before the last benediction of the *Amidah*. It consists of the verses in Numbers VI, 24–26. Formerly, these benedictions were pronounced by the priests who ascended the pulpit at every service, but the custom was discontinued in the lands of the Diaspora except during the morning holiday service. In Palestine, though, the daily blessing by the priests is still followed.

## 23. AFTERNOON AND EVENING SERVICES

The *Minhah* service is comparatively short. It consists of Psalm CXLV, known as *Ashré*, the *Amidah*, the short *Taḥanun*, 2 Samuel, Ch. VI, 24, Psalm VI, and the 'Alénu. The *Amidah* is repeated by the reader in public service.

The *Maarib* service consists of the Shema preceded by two benedictions, the first stressing the coming of night, and the second expressing the election of Israel and the importance of the Torah. It is succeeded by two benedictions, one a prayer for redemption, and the other a plea for protection during the night as well as for peace in life. The German ritual has an additional prayer. This part is followed by the *Shemoneh Esré* which is not repeated by the reader. The service is concluded with the 'Alénu.

## 24. THE KADISH

The *Kadish* is a short prayer recited several times in each service, both at the conclusion of each of the parts of which the service consists and at the very end. Due to the fact that at the end of the service and once or twice in the service proper it is usually recited not by the cantor but by mourners, it assumed special importance. However, in spite of its recitation by mourners, it is not primarily a prayer for the dead. It consists of two elements, a Doxology, in which the name of



God is sanctified and exalted, and a plea for the realization of the Kingdom of God. On account of the first element it is called *Kadish*, sanctification. Its nucleus is the phrase: "Let His great Name be exalted and blessed forever and unto eternity." This is taken from Daniel II, 20, with slight change. The prayer, as a whole, seems to be very old, for it is mentioned in the Talmud under the title, "The Great Name," and reference to its frequent daily recitation is made by the Tanna, Rabbi José, a disciple of Akiba, who lived in the first half of the 2nd century. Besides, its plea for the Kingdom of God to come is echoed in the early Christian prayer, *Pater Noster*, which is quite plausible to assume was modeled after the *Kadish*. The *Kadish* in early times was recited in the synagogue mostly at the conclusion of public study or after the sermon of the preacher. Later it became a regular feature of the service. As such, several other statements were added, a plea for peace and also one for acceptance of the prayers. Since it is repeated several times, certain distinctions in usage were introduced. When recited between parts of the service, it is known as a half *Kadish*—the plea for peace is omitted. When recited at the end of the service before 'Alénu which was added in the 14th century, and by mourners, the complete form is used. Since the *Kadish* became such an important part of the service, another version was composed for the conclusion of the public studies in the synagogue, known as *Kadish d'Rabanan* (a Rabbinic *Kadish*), in which prayers on behalf of scholars and students are added. It is not known definitely when the *Kadish* became the special prayer for mourners, and various reasons are advanced for this appropriation. The real reason seems to be that the Kingdom of God is so closely associated in the entire Talmudic and Rabbinic literature with the Messianic times when resurrection will take place, that a plea for its realization was considered indirectly a plea for the resurrection of the departed. Hence the recitation by the mourners. In fact, the Sefardic rite joins with that plea also one for the coming of the Messiah. A special version of the *Kadish* is recited at funerals.

## 25. SABBATH AND ROSH HODESH SERVICES

There is, as a rule, on the Sabbath as well as on the holidays, an additional morning service called *Musaf* (an addition), making a total of four services for the day. However, since the additional service follows closely upon the morning service, it may be considered an extension of the former. Since the Sabbath and holidays begin on the preceding evening, the order of the services begins with the *Maarib* and ends with *Minhah* on the following day.

The main difference between the week-day services and those of the Sabbath and holidays consists in the content of the *Amidah* which has, instead of the usual eighteen benedictions, only seven. On the Sabbath and holidays with the exception of Rosh ha-Shanah, the *Amidah* consists of the first and last triads and one middle benediction dealing with the importance of the day. Introductory passages which vary with each service are added to this middle benediction.

The other parts of the Sabbath services are, with few changes, the same as on the week days. Thus, the Friday night service consists of the *Shema* and its preceding and succeeding benedictions unchanged except for the addition, at the end of the fourth benediction, of the verses in Exodus XXXI, 16, 17, where the observance of the Sabbath is commanded. This is followed by the *Amidah* in which the middle benediction is prefaced by a passage on the holiness of the Sabbath and the Biblical verses Genesis II, 1-3. The cantor repeats only the seventh benediction and a short version of the other six. Before the concluding prayer of 'Alénu, *Kiddush* is recited by the cantor, as stated above (p. 38). In some rituals, such as the Sefardic, the German, and in a large number of American congregations, the hymn of *Adon Olam* or of *Yigdal* is sung by the congregation at the close of the Friday night service. In the 17th century, an introductory part known as the *Kabbalat Shabbat* was added to the service. This comprises Psalms, XCV-XCIX inclusive plus Psalm XXIX, the hymn of *Lekha Dodi*, and Psalm XCII, which is entitled "Song

of the Sabbath Day." This Psalm was the original introduction, but in the 16th century, the mystics of Safed who used to receive the Sabbath several hours before sunset, adopted the custom of reciting the above-mentioned Psalms, and one of their circle, Solomon ha-Levi Alkabetz (ca. 1500–1570), composed the hymn *Lekha Dodi* (Come My Friend) with his name in the acrostic. The influence of these mystics was great and the custom spread throughout Jewry, and, as a result, the Psalms together with Alkabetz's hymn were incorporated in all prayer-books.

The Saturday morning service is, on the whole, divided into the same parts as the week day service, with the addition of Psalms XXXIII, XXXIV, XC, XCI, CXXXV, XCII to the second part, *Pesuké di-Zimra*, and of the concluding hymn known as *Nishmat*. The *Yozer*, besides containing the ordinary benedictions preceding and succeeding the *Shema*, also has additional hymns, such as *El-Adon*. The Sabbath benedictions in the *Amidah* are preceded by a short poetic introductory piece called *Yismah Moshe*, glorifying the Torah and the Sabbath, to which are joined verses 16 and 17 of Exodus XXXI. The *Kedushah* is similar to that of the week-day service with some additional short passages.

The morning service is followed by the *Musaf*, consisting primarily of *Ashré*, Psalm CXLV, and the special *Amidah*. In the Ashkenazic ritual, *Musaf* is preceded by a memorial prayer known as *Ab Haraḥamim* (Merciful Father), recited since the Crusades in most Orthodox congregations on behalf of Jewish martyrs, and also by an Aramaic prayer on behalf of scholars and the community, dating from Gaonic times in Babylonia.

The main change in the *Musaf Amidah* consists in the addition of the introductory passages to the middle or Sabbath benediction. The passage called *Ata Tokanta* (Thou Hast Established—the Sabbath) emphasizes the special sacrifice denominated *Korban Musaf* (Additional Sacrifice) brought in the Temple on the Sabbath. The service concludes with 'Alénu preceded by *En Ke-Elohenu*, a hymn in praise of God,



sung by the entire congregation, and is followed by the Psalm of the day, XCII. In many congregations *Adon Olam* or *Yigdal* is sung.

The *Minhah* service on the Sabbath begins with *Ashré* and is followed by the prayer known as *U-Bo le-Zion Goel* and the *Amidah* which differs in its introductory passage to the Sabbath benediction and is concluded by *'Alénu*. The passage called *Ata Ehad* extols God, Israel, and the Sabbath.\*

The *Maarib* service on Saturday night is distinguished from the daily service by several additions. A special benediction for the departure of the Sabbath called *Ata Honan-tonu* is inserted between the third and fourth benedictions of the *Shemoneh Esré* and in addition Psalm XCI and the larger part of *U-bo le-Zion* is recited. It is concluded by the *Habdalah* and *'Alénu*. Some congregations add to the service a group of short prayers and selection of verses which is collectedly known as *We-Yitten Lekah*, because it begins with that verse (Genesis XXVII, 28). These prayers are more often recited at home.

The services of the first day of the month (Rosh Hodesh) differ from those of the week-day primarily by the inclusion of a *Musaf* service in the morning which begins with *Ashré* and *U-bo le-Zion* and is followed by an *Amidah* of seven benedictions. The seventh benediction deals with the importance of the day, preceded by an introductory passage and the verse in Numbers XXVIII, 11. In addition, *Hallel* (see below) is recited, as well as a special short prayer for the nation and its redemption inserted in the *Amidah* of all the services between the seventeenth and eighteenth benedictions. It is called *Yaaleh we-Yabo*.

## 26. FESTIVAL LITURGY

In regard to prayers, the three great festivals, Passover, Feast of Weeks (Shabuot), and Tabernacles differ but little from each other except in minor details. In fact, they differ

\* For the reading of the Law on Sabbath morning and *Minhah* services see sec. 28.

only slightly from those recited on the Sabbath. The main difference consists in the content of the *Amidah*. As on the Sabbath, the morning service includes also the *Musaf*. The *Shaharit*, i.e., the morning service proper, is the same as that of the Sabbath with the exception of the *Amidah* if the festival falls on the Sabbath, but if it falls on a week day, then the additional hymns in the *Yozer* are omitted and the week-day form is followed. Likewise *Maarib* and *Minḥah* services are the same as those on the Sabbath except for the *Amidah*.<sup>\*</sup> The holiday *Amidah*, as stated, consists of seven benedictions, the seventh devoted to the significance of the day. This benediction is preceded by two introductions, one of which speaks of the selection of Israel and their sanctification by observing these holidays, the other, the above-mentioned prayer, *Yaale we-Yabo*. The *Musaf Amidah* likewise has several introductions. In the principal one, *u-Mipne Hatoenu*, reference is made to the exile, to the sacrificial offerings in the Temple, and a plea for national restoration is offered. Though we generally count only three principal festivals, there are, in reality, four, namely, *Shemini Azeret*, on the last two days of Succot, which is considered a special holiday and is thus specifically mentioned in the *Amidah*.

Passover and Succot, as mentioned, have four and five days respectively of semi-holidays called *Hol ha-Moed*. These have the festival *Musaf* service, but in the *Shaharit* and other services week-day liturgy is used.

The *Hallel*, which forms an important part of the festival services and is also recited in the morning services of the first day of the month and Hanukkah, consists of a group of Psalms from CXIII–CXVIII inclusive, the first verse of which begins with *Halleluyah* and speaks in praise of God, His greatness and glory. These Psalms used to be recited in the Temple on the festivals and on festal occasions, especially during the time of the sacrifice of the Paschal Lamb. The complete *Hallel*, however, is recited only on the first two days of Pass-

<sup>\*</sup> In addition, the reading of the Law is omitted in the festival *Minḥah* service.

over, two days of Shabuot, nine days of Succot, and the eight days of Hanukkah. On the last six days of Passover and on the first day of the month, Psalms CXV and CXVI are omitted, and it is usually called the incomplete *Hallel*.\*

## 27. THE HIGH HOLIDAY SERVICES

New Years prayers are, on the whole, distinguished by a note of supplication, a plea for life and health. Still, with the exception of the *Amidah*, there is very little change in the standard prayers recited at the three services. The main change is in the *Amidah* of the *Musaf*, which contains nine benedictions instead of the seven of the Sabbath and holidays. However, the *Amidah* of the other services, though the number of its benedictions is seven, contains several special introductory passages inserted in the third benediction which dwell in various ways on the aspect of the day. These passages repeatedly emphasize God's providence and plead for the coming of the Kingdom of God, for the cessation of evil from the earth, the restoration of Israel, and the establishment of peace on earth. The prayer of *Yaaleh we-Yabo* recited on all festivals in the *Amidah* is also recited on Rosh ha-Shanah. The body of the *Musaf Amidah* is divided into three parts, *Malkiot*, i.e., verses and passages glorifying the Kingship of God, *Zikronot*, i.e., reciting memorable Biblical events in which God displayed His beneficence, and *Shofarot*, i.e., which speaks of the significance of the *Shofar* on certain occasions. Each part consists of ten verses, four from the Pentateuch, and three each from the Prophets and Hagiographa. Each of these parts is also prefaced by introductions and short hymns, one of which is the well-known 'Alénu later incorporated in the daily service as the closing prayer. The parts conclude with benedictions. Inasmuch as the benediction of the day is combined with that of *Malkiot*, there are only nine benedictions instead of ten. In addition to all these prayers, a group of short supplications (forty-five in number), known as *Abinu Malkénu*

\* In fact verses 12-18 of Psalm CXV are retained in the incomplete *Hallel*.



(Our Father, Our God), is recited. The supplications cover every phase of life of the individual and the nation, that of the latter predominating. *Abinu Malkénu* is recited twice on Rosh ha-Shanah, once at the close of the *Shaharit* service, and again, after *Minhah*. It is also recited during the ten days of penitence after the *Amidah*, morning and afternoon, and also on fast days.

Yom Kippur is a day of prayer and supplication, and has, as mentioned above, five services instead of four, for the *Neilah* is added in the late afternoon. The order of prayers on that day differs only in the *Amidah* which contains, besides the seven benedictions and the special introductions of the New Year service, a distinctive feature, namely, a confessional (*Widui*) known as *Al-Het*, recited at the end of the benedictions at every service except *Neilah*. The *Al-Het* is a long catalogue of all kinds of sins which a man may have committed willingly or inadvertently. It is in reality a collective or group confession. *Abinu Malkénu* is again recited at the close of all services except the *Musaf*.

## 28. THE READING OF THE LAW

The reading of the Law during public services dates from the time of the Great Assembly, the early period of the Second Commonwealth. In fact, in the Talmud it is ascribed to Ezra, the titular founder of this Assembly.<sup>5</sup> Reference to such practice is found in the Book of Nehemiah Ch. VIII, 5-18, where we are told that Ezra read from the Law to the assembled people, and it is said: "They read in the Book, in the law of God, distinctly, and gave the sense, and caused them to understand the reading" (*ibid.* vs. 8). This reading, we are told, was repeated daily during the eight days of the Festival of Tabernacles (vs. 18). It is not definitely stated whether it became a permanent institution immediately or later. However, from the manner in which the Law was read, we can

<sup>5</sup> On the activities of the Great Assembly see Graetz' *History of the Jewish People*, Eng. trans. Vol. I, Ch. XIX; Waxman, "A History of Jewish Literature," Vol. I, Ch. II.

determine the purpose of the reading and why it was later enacted into a permanent institution. The purpose was to teach and instruct the people in the observance as well as the understanding of the Law. In fact, a Talmudic comment interprets the terms of the above-cited verse as follows: "The Law of God" means the Pentateuch; "distinctly (Meforosh)" means with an Aramaic translation; "gave the sense" means with a pause at the end of the verses; "and caused them to understand the reading" means they read with accents and proper pauses, for it is these which help us to understand the meaning of the verses.<sup>6</sup> It can therefore be said that this institution was the first attempt on a large scale to introduce adult education. It must be noted, though, that while the features enumerated in this Rabbinic comment may be attributing later conditions to earlier times, as for instance the use of accents, undoubtedly some of the other features enumerated, such as the translation, accompanied the public reading of the Law from its very beginning. It is well known that the vernacular of the Jews during the Second Commonwealth differed greatly from the Biblical Hebrew and possessed a large admixture of Aramaic, the language spoken by the Jews in the Babylonian exile. Consequently, a translation into the vernacular was needed when the Law was read, and as a translation cannot be literal but must contain comments and interpretative remarks, the reading of the Law served as a fountain-head of the two literary streams which began to flow in the early times of the Second Commonwealth, the *Halakah* and *Agada*.

The reading of the Law was first instituted for the Sabbath and the holidays, days of rest, but later it was extended also to two week days, Monday and Thursday, which were market-days in the cities and towns of Palestine when the villagers crowded into the larger centers for shopping purposes. It was done for the benefit of the villagers living in small settlements who had no public service on Saturdays, or more probably, had no learned man among them to read the Law.

<sup>6</sup> *Talmud* tr. *Nedarim*, 36b.

As education spread and learning multiplied, and a literature was produced, the reading of the Law lost its original character, but the institution remained an important part of the service.

The Torah is now read on the following days and in the following services: On Monday and Thursday during the morning service; twice on the Sabbath, morning and afternoon. On the first of the month, in the morning; on all festivals including New Year, in the morning, with the exception of the Day of Atonement when it is read twice, in the morning and in the *Minḥah* service.

There prevailed in early times two different divisions of the Torah as regards the reading of the Law. In Palestine the Torah was divided into smaller sections known as *Sedarim* of which there were one hundred and fifty-four, and the reading of the Torah was completed in three years. In Babylonia, the Torah was divided into larger sections called *Parshiot*, popularly known as *Sidrot*, of which there are fifty-four, and the reading is completed in a year, so that each week has its *Sidra*. The division is as follows: Genesis contains twelve *Sidrot*, Exodus eleven, Leviticus ten, Numbers ten, Deuteronomy eleven. On the festivals no special *Sidra* is read, but portions of *Sidrot* where the holidays are mentioned are read. As there are only fifty-two weeks in the year, and furthermore, when a holiday falls on the Sabbath the weekly portion is not read but rather the one appropriate to the holiday, there are, as a result, more *Sidrot* than weeks. It was therefore thought advisable to read two *Sidrot* on a Sabbath several times during the year. This device is unnecessary during a leap year when a better numerical balance is achieved.

Formerly, the practice was to call a number of people to read the Torah, each reading a section, but for centuries now the practice is to have a reader chant the entire portion of the week while the people who are called merely listen. They do, however, pronounce two benedictions, one preceding the reading and the second at the conclusion. The benedictions



express thankfulness to God for giving the Torah to Israel.

The number of people called and the order of the reading on various occasions are as follows: On the Sabbath morning seven people are called, and as said, the entire portion of the week is read. On Sabbath afternoons only three persons are called, and only one-seventh of the next week's portion is read, and the same procedure is followed on Mondays and Thursdays. On the first day of the month and on semi-holidays four people are called, and selected portions of the Pentateuch dealing with the affairs of the day are read. On all the festivals including New Year five people are called and the readings are selected from various parts of the Bible which have reference to the events of the day. On the Day of Atonement, at the morning service, six people are called and in the afternoon three, and the readings are selected accordingly.

In addition to the reading of the Torah there were instituted for each Sabbath and the holidays readings from the Prophets, the content of which refers to incidents related in the portion of the week. These are called *Haftorot* (closing sections), namely, they conclude the reading of the Torah. The one called to read the prophetic portion is called *Maftir* (one who concludes) and is also given a section of the Pentateuch to read, thus adding one to the standard number. On the Sabbath, the reading consists of a repetition of some verses read before. On the festivals or when the first of the month falls on the Sabbath, a second Scroll of the Law is taken out and a number of verses from Numbers XXVIII dealing with the sacrifices on holidays and *Rosh Hodesh* is read by the *Maftir*. The reading of the *Haftorah* is preceded and succeeded by special benedictions.

There is a certain order observed in the calling of the people to the Torah. The first to be called is a *Kohen*, i.e., Aaronide, the second a Levite, then an Israelite follows. It was customary to call a scholar as the third, but now there are no fixed rules. One called to the Torah must be over thirteen years of age. Occasionally a *Maftir* is given to a younger child, usually

to a boy who is about to be confirmed. Both the Torah and the Prophets are read in a chant in accordance with the accents with which the words are supplied.<sup>7</sup>

There are four Sabbaths in the year which bear special significance. They begin with the two Sabbaths before Purim and end with the one before Passover. These are Sabbath *Shekolim*, *Zakar*, *Parah*, and *Hodesh*. The first is in commemoration of the *Shekel* which every Jew throughout the world paid as his tribute to the Temple. It was collected on the first of the month of *Adar*. The second Sabbath is based on the identification of Haman the Agagite as a descendant of Agog, King of the Amalekites, the inveterate enemies of Israel, who was killed by Samuel (I Samuel, Ch. XV). It is called *Zakar* because verse 17 in Chapter XXV of Deuteronomy begins with the words, "*Zakar et Asher Asah Leka Amalek*" (Remember what Amalek did unto you), and it is intended to remind us of the deeds of Haman. *Parah* (cow) is connected with the Red Heifer ceremony, the ashes of which were sprinkled upon the unclean in order to purify them, and inasmuch as those that were unclean could not eat of the Paschal Lamb, the Jews hastened to purify themselves before Passover. *Hodesh* is in connection with the first of Nisan, the month in which Passover falls and which is considered, as the Pentateuch states, the first of the months of the year.<sup>8</sup> On these four Sabbaths, there is a special reading from appropriate sections, such as Exodus XXX, 11–15, where the first half *Shekel*, a contribution for the Tabernacle, is mentioned; Deuteronomy XXV, 17–29, where the deeds of Amalek are stated; Numbers XIX, 1–22, where the rite of the Red Heifer is given; and Exodus XII, 1–20. The sections are read for the *Maftir* usually in a separate Scroll, and there are also special *Haftorot*

<sup>7</sup> The main purpose of the accents was to serve as signs of punctuation, yet each sign serves also as a note, and consequently there developed several chants in which the Law and the Prophets are read.

<sup>8</sup> As can be seen, only the Sabbaths *Zakar* and *Hodesh* have special significance which stems directly from the holidays which they precede, while that of the other two, *Shekalim* and *Parah*, lies primarily in the desire to keep alive the memories of Jewish life in Palestine as much as possible. This demonstrates once more how great was the hold of Palestine upon Jewry.

for these Sabbaths the content of which refers in some way to the event of the day.

In addition, the Five *Megillot* or Scrolls are also read in the synagogue—Esther and Lamentations on Purim and the ninth of Ab respectively, Song of Songs on the Sabbath during the Passover week, Ruth on Shabuot, and Kohelet or Ecclesiastes on the Sabbath during the Festival of Tabernacles.

## 29. OCCASIONAL PRAYERS AND BENEDICTIONS

The fundamental thought of the Jewish religion that man is to express his gratitude frequently to God for His multifarious benefits is not limited to the stated daily services, but is interpreted in a broad manner. Such expression is required on many occasions, and especially on those when joy or pleasure is experienced. Those expressions of thankfulness which acknowledge God's creation of things as well as His providence are usually given in brief benedictions pronounced primarily at the time of the enjoyment of food and drink of various types.

They are as follows: The benediction on vegetables which grow directly from the soil is: "Blessed art Thou, our God, King of the universe, the Creator of the fruit of the soil." On fruits, the formula varies to "Creator of the fruit of the trees." On things which grow neither in the soil nor on trees, as fish, meat, etc., as well as liquids, the benediction varies to, "He by Whose word everything comes into existence." Wine, however, is distinguished by a special formula, "The Creator of the fruit of the vine." And likewise there is a special formula for bread which reads, "He Who produces bread from the earth." For other types of food made of flour, as cakes, pastries, etc., the formula is, "The Creator of various kinds of food."

There are also two benedictions pronounced after partaking of these fruits or foods. One called *Berakah Aḥaronah* is recited after the eating of choice fruits (seven kinds) or pastries, or drinking of a substantial portion of wine. A shorter one is pronounced on other fruits and foods, such as meat and



fish, which reads: "The Creator of souls and bodies Who provided them with things they need, and the Creator of all things alive, blessed is He, the Ever-living One."

The enjoyment of the sense of smell is also preceded by a short benediction; if the sweet smelling spices grow on the tree the formula is: "The Creator of spice trees"; if herbs, the word herbs is inserted. On the enjoyment of a new fruit or on donning a new garment, the benediction pronounced is: "He who kept us alive and in existence up to the present." Natural manifestations have their benedictions. At the sight of lightning: "He who continues the work of creation"; on hearing the rumble of thunder: "He whose might and strength fills the world." Even the sight of a distinguished scholar or great political figure has its benedictions. The first reads: "He who gave a portion of His wisdom to men"; and the second inserts "His honor" instead of wisdom. News or events, good or bad, have their benedictions; the former: "He who is good and does good"; and the latter: "The true and impartial Judge," indicating a calm submission to the judgment of God.

### 30. THE MEAL

The meal occupies an important position in the religious ritual. It is preceded by the lavation of the hands with its proper benediction, and the breaking of bread with the *ha-Motzi*. The main feature is grace after meals, which is long and consists of four benedictions. The first is an expression of thankfulness to God in His capacity as provider. The second contains thanks to God for giving Palestine and the Torah to the Jews. It is of ancient origin, hailing from the time before the destruction of the Temple. The third is a prayer for redemption and the restoration of Jerusalem; and the fourth contains prayers and expressions of gratitude for the general benefits God bestows upon man in His kind providence as well as individual good wishes for the family or the host and hostess.

When the meal is partaken of by three men or more, the pronouncement of grace is preceded by an invitation by one to perform the ceremony. He says, "Let us thank God for the meal," and the others respond, "Blessed is He of whose substance we partook." This particular way of saying grace is called *Zimun*, namely invitation—in the vernacular a *Mezuman*. At weddings, or at meals in a mourner's house, or at feasts of circumcision, special benedictions which refer to the event of the day are added to the regular grace. At such occasions grace is usually recited over a cup of wine.

### 31. ZIZIT, TEFILIN, AND MEZUZAH

There are two distinctive religious symbols, namely, *Zizit* (fringes) and *Tefilin* (phylacteries), the former pertaining to dress, and the latter employed in connection with prayer. It is explicitly stated in Numbers XV, 37, that the children of Israel shall wear fringes on the four borders of their garments. It was later interpreted to mean that the commandment is obligatory only upon one who has a garment which is square, but if it is of different shape, there is no obligation to attach the fringes. The *Zizit*, while preferably made of wool or threads of spun flax, can be made also of other materials, such as silk. Formerly these fringes were dyed blue. The fringes are placed at the four corners of the four borders of the garment and consist of four threads which usually are folded in two so that there are really eight threads.

Since we, as a rule, do not wear that type of garment, substitutes had to be found in order that the law should not be abolished altogether. These are called *Talit* and *Talit Katan* or *Arba Kanfot*. The *Talit* or the prayer shawl is a square piece of cloth made of wool, linen, or silk, which has the fringes placed at the four corners of its borders. The *Talit* is usually worn at services by men or boys after confirmation.

In order to make the wearing of fringes accessible to all males of any age as well as a permanent feature of dress, the

*Arba Kanfot* was introduced. It is a small square piece of cloth with fringes at the corners of its borders and is worn under the upper garment.

The *Tefilin* are not expressly commanded in the Torah but are implied by logical interpretation of the words in Deuteronomy VI, 8: "And thou shalt bind them (referring to the words of the command in the previous verse) on thine hand, and they shall be as frontlets between thine eyes." (The word *le-Totofot* translated frontlets means literally an ornament which used to be worn on the head.) A very old tradition, often called Sinaitic, took the words literally as implying that the most important teachings of the Torah should in some way be constantly before the eyes of every Jew and introduced some means to realize that ideal. Accordingly, there were selected four important passages of the Bible which are placed in two small boxes of parchment and placed on the hand and on the forehead by means of leather straps. These are worn during the morning prayers, the time when the Jew communes with God.

The first two passages are Exodus XIII, 1-11 and 11-16, where the Exodus from Egypt is emphasized, and the commandment to commemorate the event during the generations by sanctifying the first-born as a reminder of the tenth plague brought upon the Egyptians is stated. Verse 16 of the second passage reads: "And it shall be taken on thy hand and for the frontlets between thine eyes, for by the strength of hand the Lord brought us forth out of Egypt." The other two passages are Deuteronomy VI, 4-10, the *Shema*, where the unity and love of God as well as obedience to the Torah are stressed, and XI, 13-21, where divine providence is emphasized and the commandment about the phylacteries is repeated. These four passages written on pieces of parchment are placed in the head frontlet or phylactery in four compartments, but in the phylactery of the hand all are placed in one compartment.

The Jewish house is also decorated by a religious symbol called *Mezuzah*. It is explicitly commanded in one of the above-mentioned passages, Deuteronomy XI, 20: "And thou



shalt write them (i.e., important passages of the Torah referred to in previous verses) upon the doorposts of thy house and upon thy gates." Accordingly, two of the passages, namely Deuteronomy VI, 4-8, the *Shema*, and Deuteronomy XI, 13-21, are written on a piece of parchment and placed in a case which is nailed on the doorpost of the house. The parchment with the writing is called *Mezuzah* because in Hebrew *Mezuzah* also signifies doorpost.

## CHAPTER IV

### DIETARY LAWS

#### 32. CLEAN AND UNCLEAN ANIMALS

Judaism is a religion which embraces all phases of the life of the Jew. It is no wonder, then, that there are numerous precepts which deal with his daily life in the home. And first of all, there are those called the dietary laws. Of the numerous animals, domestic and wild, namely quadrupeds, fowl, and fish, the Jew is restricted to a small number distinguished by certain characteristics which mark it as "clean." Of the quadrupeds, only those are considered clean, i.e., permitted to be eaten, whose hoof is cleft and who chew their cud. As a rule, animals which possess one of these marks also possess the other, with the exception of the camel which chews its cud but does not have the cleft hoof, and the pig which, on the other hand, has the cleft hoof but does not chew its cud. It is to be noted that these animals are all herbivorous and not carnivorous or predatory, symbolic of the fact that life must be gentle and not violent, for the view was held that the nature of the food determines a man's character.\*

The Torah does not specify the characteristics of the fowl which are considered clean, but enumerates twenty-four species prohibited as food. Tradition, however, did find some identifying marks. The general one is that any bird which places its foot upon its food before eating is unclean. Birds which have an extra toe in the back and a gizzard which can be peeled are clean. However, the bird need not possess all three marks; one of these coupled with its manner of eating is

\* We may be reminded of the biologist Büchner's dictum, "Der mensch ist was er isst" (A man is what he eats).

sufficient. It is to be noted in this case as in the former that birds possessing these characteristics are not predatory.

As for fish, the Torah distinctly states that only fish which have scales and fins—and usually the fish that have scales also have fins—may be eaten. All other species of fish are prohibited.

### 33. PREPARATION OF KOSHER FOOD

In order to eat the meat of an animal, quadruped or bird, it must first be slaughtered in a definite manner which consists in cutting the organs of the esophagus and the windpipe. In the case of a quadruped, both organs or at least the larger parts of them, must be cut; but as for birds, the cutting of one organ is sufficient. Fish may be killed in any manner.

The knife with which the slaughtering is done must be not only sharp but without any blemish. The smallest dent can disqualify the slaughtering. Consequently, the slaughterer, before performing the act, examines the knife with the greatest scrutiny, running it three times over his finger and three times over his nail. This care is taken so as to obviate any unnecessary pain to the animal. For the same reason, the cutting must be done adroitly and within a limited space of the throat. Any digression from this procedure disqualifies the slaughtering and the animal is declared unfit for food. When one slaughters a bird or one of the few undomesticated quadrupeds which are classed as clean, the slaughterer is to cover with earth the blood which flows out of the body immediately after the slaughtering.

After slaughtering, the animal is not yet fit to be eaten until it is examined to determine its state of health during life. If any signs of disease are evident, it is pronounced *Terefah*, i.e., not to be eaten just as if it were not slaughtered but killed violently by a carnivorous animal. There are numerous rules governing these matters, but in general it can be said that when any of the important organs, as the brain, the windpipe, the esophagus, the heart, the lungs, or in-



testines is found perforated or with evidence that it had been perforated, the animal is pronounced *Terefah*. Consequently, the animal is examined by experts before it is pronounced Kosher. However, taking into consideration that the other organs are not as subject to injuries as the lungs, which are the most likely to be diseased, the examination is primarily centered on the lungs, while the other organs are looked at casually, and if anything is noted, they are then examined more carefully.

Due to the special adroitness necessary for the performance of ritual slaughtering and the knowledge of the laws of hygiene needed in the examination of the body of the slaughtered animal, ritual slaughtering is considered a profession for which proper preparation is necessary. The one who prepares for this profession must pass an examination in the presence of Rabbis, both in theoretical and practical parts, and he is then given a certificate as *Shoḥet*. The certificate is called *Kabbalah*, a term which signifies that the *Shoḥet* has undertaken to follow the rules and regulations established by law.

The meat now must go through still another process before it can be eaten. The purpose of the process is to draw out the blood from it as well as to remove parts of the fat of the animal which are forbidden. Consequently, after slaughtering, veins containing blood are removed together with parts of the prohibited fat of the quadruped. In addition, there is the sinew in the hind part of the animal which, according to Genesis XXXII, 33, is prohibited and which must be removed. In former times, there were men who specialized in the removal of these sinews and thus prepared the flesh of the entire animal as Kosher. Under modern conditions, as a rule, the hind part is not used by Jews who observe the dietary laws.

Again, since the eating of blood is prohibited, it follows that meat which contains blood is also prohibited. Hence, it must undergo a further process of preparation before it is ready for cooking. This process consists in soaking the meat

in water for half an hour and then salting it and keeping it in that state for an hour. The soaking softens the fibres of the meat and enables the salt to draw out the absorbed blood. During the salting the meat is placed on a perforated inclined board so that the exuded blood may run off and not be re-absorbed by the meat.

The prohibition against tasting blood extends also to eggs, for some frequently have drops of blood in them. Consequently, if such a drop or drops are found, the egg is disqualified. Only eggs laid by birds which are clean are permissible for use, for the eggs of unclean birds are likewise considered unclean. It was therefore determined on the basis of experiment to assign marks of distinction which are as follows: If an egg has one end round and the other oval and the yolk is surrounded by a white liquid, it is considered clean; but if both ends are round or oval and the yolk is outside of the white of the egg, it is prohibited.

#### 34. OTHER DIETARY LAWS

The prohibition against seething a kid in its mother's milk is repeated in the Torah three times (Exodus XXIII, 19; XXXIV, 26; Deuteronomy XIV, 21). Tradition inferred from this that not only does the commandment refer to boiling a kid in its mother's milk, but that it is all-inclusive and prohibits the eating of meat in general with milk or mixing the two in any way or form. Furthermore, even the deriving of profit by selling the mixture to a non-Jew is prohibited. From such interpretation there ensued the complex regulations connected with this matter. The general rule is that a mixture of the two may be considered Kosher only if one, i.e., the milk or the meat exceeds the other sixty times, e.g., if a drop of milk falls on a piece of meat or in a meat soup, and if the meat or soup contains sixty times its quantity, the mixture is Kosher, and the same applies, of course, if a piece of meat or soup falls into milk; otherwise it is *Terefah*. This rule applies also to all utensils in which the meat or milk is boiled, for it is

assumed that they are saturated with particles of either. Consequently, if a spoon used for milk soup is placed in a hot pot of meat soup, the soup must contain enough liquid to displace sixty spoons in order to be Kosher; and similarly, if the spoon is used with meat. The rule, however, applies only if the meat or soup is hot, but if they are cold, e.g., if cold meat and cheese touch each other, or if a cold piece of meat falls into cold milk, all that is necessary is to wash the meat. The reason is that the process of absorption starts only in high temperature. When the proper measure of sixty times the spoon or of the meat or of the milk is not found, the entire mixture is *Terefah*, and even the utensils containing it may not be used. In order to make the utensils Kosher again, they are to be dipped in boiling water several times so that whatever is absorbed therein is exuded.

The measure of sixty times was adopted because it was thought that the taste of anything can be felt in a mixture up to that amount but no further. Because of these rigors against mixing meat and milk in all their ramifications, all Jews who observe the dietary laws have two sets of dishes, tableware, and pots, and keep them strictly apart.



## CHAPTER V

### THE FAMILY AND ITS INSTITUTIONS

#### 35. THE PLACE OF THE FAMILY IN JUDAISM

There is no religion or nation in which the family occupies such an important place as in Judaism. In fact, according to the Bible and Jewish tradition, the entire nation sprang and developed from a single family. And furthermore, the development proceeded not from all the members of the family, but from those whose character displayed traits of nobility and righteousness. Tradition thus indicates the value placed by Judaism in its very beginning upon character as the most important element in family life. Consequently, the highest values are placed upon sanctity, purity, and stability of the family. The laws relating to these subjects are numerous and occupy a considerable part of the legal portions of the Pentateuch and the Talmud, and their general purpose is to ennoble the life of the family and its institutions.

#### 36. MARRIAGE

Marriage is the basis and the source of all family life. Small wonder then that its value is continually emphasized in the entire Jewish literature beginning with the Pentateuch. According to the Book of Genesis, marriage was instituted by God Himself at the very beginning of creation of man. The words: "It is not good for man to be alone" (Genesis II, 6), impart to the association between man and woman an importance above the level of mere satisfaction of a biological necessity and emphasize the element of companionship through their entire life. Later we find the divine command,

"increase and multiply," considered by authoritative Judaism an expressed precept, one of the 613 precepts obligatory upon Jews to obey. The propagation of the species was thus placed as the primary purpose of marriage and Talmudic law states that a man is obliged to have a minimum of children in order to fulfill this precept. The minimum is two, one male and one female. The Prophets often describe the relation between God and Israel symbolically as a marriage-tie or covenant, and constantly emphasize the element of love and the impossibility for a husband to forget the wife of his youth, a figure which reflects the high conception of the marital tie.

The Pentateuch does not prohibit polygamy, and we also know that the kings, David and Solomon, had many wives like most of the Oriental kings. However, even during earlier times, monogamy was the ideal marriage, as is evident from the very symbolism used by the Prophets in comparing the relation of God to Israel to that of a marriage. The same ideal is reflected in the poem dedicated to the industrious wife in Proverbs XXXI, 10-31. From early post-exilic times, monogamy was the rule and polygamy the exception. The Prophet Malachi storms against those who take an additional wife, and says: "The Lord hath been a witness between thee and the wife of thy youth against whom thou hast dealt treacherously. Yet, she is thy companion and the wife of thy covenant" (Malachi II, 14). Such utterances indicate that monogamy was the general practice, and those who acted otherwise were considered sinners. There is not a single reference in the literature produced during the Second Commonwealth that any Hasmonean prince practiced polygamy. According to Josephus,<sup>1</sup> Herod indeed had nine wives, but from the apology which Josephus offers for him, namely that it was permitted by law, we can conclude that it was not the practice. Besides, Herod was not the ideal Jewish prince. And certainly in Talmudic and post-Talmudic times monogamy was the rule. Of the numerous Tannaim, Amoraim, and

<sup>1</sup> Antiquities XVII, 1, 3, & Wars I, XXIV, 2.

Geonim, we know of no one who had more than one wife. The Agadic statement that forty days before a male child is born a heavenly voice announces: "The daughter of a certain man is destined to be the wife of the child who is about to be born,"<sup>2</sup> as well as the saying which speaks figuratively of match-making as one of the numerous occupations of God Himself<sup>3</sup> reflect the attitude of Judaism towards monogamy. Jewish mysticism calls the unmarried man or woman a half person—*Plag Gufa* (literally half a body), meaning that both together make a complete person. It buttresses this view by a mystic notion of marriage. According to it all souls in their pre-existent state consist of masculine and feminine elements. When the time comes for the descent of the soul, it splits in two, the masculine descending into a male child and the feminine into a female child. Later in life, when the time for marriage arrives, these two halves are again united. There is, however, a condition attached to this union, namely the worth of the man. If he is worthy, he obtains as his wife the woman who possesses the second half of his soul, if not it may be any other woman.<sup>4</sup> This allegory expresses not only the high regard for monogamy but also asserts that the proper marriage is founded on the harmony of souls and characters. Still, in the early Middle Ages, in Oriental countries under the influence of Islamic environment, cases of bigamy or even of polygamy were not unknown among the Jews, and probably also made their appearance in European countries. Rabbi Gershom, known as the Light of the Exile (940–1028), then ordained that any breach of monogamy be punished by the severest type of excommunication and the ordinance was accepted by entire European Jewry as a fixed law.

### 37. PROHIBITED ALLIANCES

The Pentateuch prohibits any intimate relation between twenty-one consanguines under the pain of death, either by

<sup>2</sup> T. B. *Sotah* 2.

<sup>3</sup> *Leviticus Rabba*, Ch. VIII.

<sup>4</sup> *Zohar*, Pt. I, p. 91b.



decree of court or by heavenly judgment. Of the Biblical prohibited alliances, some run to the third degree, both downwards and upwards, as for instance, the prohibited relation between a man and his mother-in-law's mother; while some run only to the second degree, as nephew and aunt. Later, twenty more consanguines with whom marriage or intimate relation is prohibited were added by the early Rabbis. In the case of sixteen of these, the prohibition is one degree removed, i.e., to the third downward or upward, where Biblically it stops at the second degree, but four continue indefinitely. These are (1-2) the two grandmothers on the maternal side, i.e., father's mother, her mother, and so on indefinitely, and mother's mother, her mother, etc., (3) step-grandmother, and (4) the wives of the grandsons and great-grandsons on the male side. On the female side, the prohibition stops with the third degree, i.e., the wife of the daughter's son. However, a marriage between uncle and niece is permitted and likewise between first cousins.

### 38. MINORITY AND MAJORITY AGES

In Jewish law there is a slight difference in regard to attainment of majority between male and female. The minority of the former extends to the age of thirteen, while that of the latter terminates at twelve, at the time when she displays signs of puberty. However, at that age she does not attain the full status of majority, only a partial one. That period of transition extends for six months and a day during which time she is called a *Naarah*, i.e., a young woman, but at the end of that time she acquires the status of full womanhood and is called a *Bogeret*, i.e., matured. During the periods of minority and young womanhood (*Naarut*) she is under paternal authority in regard to marriage, and only the father has a right to give her in marriage—with her consent, of course. In case she takes the initiative and is married without the consent of her father, the marriage is invalid. However, in the case of an orphan the situation is changed; the minor is given in mar-

riage by her mother and brothers, and the marriage is valid by Rabbinical ordination, while the young woman attains her majority immediately and has full right to marry by her own initiative.

The betrothal and marriage of a male minor by his own initiative is invalid and has no legal status. The above statement regarding the paternal right to give in marriage a minor daughter as well as one who is in the transitory stage (*Naarah*) is the legal view, but Jewish authorities always looked with disfavor upon such marriages, and the most authoritative code, that of Karo (the *Shulḥan Aruk*),<sup>5</sup> says that it is a religious duty not to marry off a minor daughter until she is able to choose the man herself. It therefore goes without saying that when a woman attains her majority, marriage must take place with her full consent and any forced marriage is null and void.

The attainment of majority by the male at thirteen gives him the complete status of a man, both legally and religiously. Legally, his commercial transactions of whatever nature are valid, and likewise, his betrothal and marriage contract are valid. He is also held responsible for any deeds of infringement or transgression of the law and is subject to all the prescribed punishments for the various acts.

Religiously, he is from that date on considered a full-fledged Jew and is obliged to perform all affirmative precepts as well as to take care not to transgress any of the prohibitive commandments. He is henceforth counted as a member of the quorum necessary for the conduct of a public service, and is entitled to be called to the reading of the Law.

The most distinguishing feature, however, in this entrance of the boy into the religious fellowship is the act of putting on phylacteries at the week-day morning prayers. Up to the age of thirteen, the young are exempt from this duty, but from the thirteenth year on, this obligation is imposed upon him.

In early times this entry of the young man into the full

<sup>5</sup> *Shulḥan Aruk*, Part *Eben ha-Ezer*, Ch. 37, 8.

membership of the community of Israel, assuming all duties and obligations, was considered a natural and ordinary event not marked by any special ceremony. In later times, however—the exact date cannot be determined—the event assumed a more ceremonial aspect and was given a special name, *Bar Mitzvah*, which means that henceforth he receives the yoke of the *Mitzvot*. Simultaneously, the day began to be celebrated as a family festival marked by a few ceremonies. On the Sabbath of the week during which the boy becomes thirteen years old, at the morning service in the synagogue, the celebrant is called to the reading of the Law and is given the *Maftir* passage of the Torah, and he then reads also the Prophetic portion with the benedictions preceding and following it. Being called to the reading of the Law and the chanting of the *Haftorah* serve as a kind of public ceremony of initiation into the religious community. Formerly, the father of the *Bar Mitzvah* pronounced a special benediction while reading his portion of the Torah, in which he thanks God for his release from the responsibility which he hitherto bore for the conduct of his son.\* Occasionally the celebrant or the *Bar Mitzvah* boy delivered in the synagogue or at a family feast in honor of the event a short speech of a religious nature.

In our own days, especially in this country, due to circumstances, primarily to the influence of the confirmation ceremony adopted by the Reform wing of Jewry, the celebration of the *Bar Mitzvah* event assumed undue importance with all Jewish factions. It is practically considered the most outstanding event in the religious life of the young Jew, and frequently forms the only link which connects him with the religion of his people. Many parents who otherwise neglect the Jewish education of their children do not fail to celebrate

\* It is mentioned by Moses Isserlis (1520–1575) in his Gloss to Karo's Code (Shulhan Aruk) Pt. I, Sec. 225, where he quotes Jacob Möllin (1365–1422) as well as Mordecai ben Hillel (d. 1298) for the opinion that the father should pronounce a special benediction on the day when the son becomes *Bar Mitzvah*. From this we can deduce that the beginning of the celebration of the *Bar Mitzvah* can be traced to the 13th century. Reference to the feast on that day is also mentioned by Solomon Luria of Poland (1510–1574) in his commentary on the tractate *Baba Kama* of the Talmud.



the *Bar Mitzvah* of their sons and see that they should be prepared for the occasion, namely to chant the *Haftorah* in the synagogue.

### 39. THE MARRIAGE CEREMONY

The act of betrothal (*Kiddushin*) which gives the pair the status of a married couple consists in the bridegroom placing a ring on the finger of the bride in the presence of at least two witnesses and pronouncing the formula: "Thou art betrothed unto me with this ring in accordance with the law of Moses and Israel." The ring, however, is not, according to the strict meaning of the law, a necessity. A coin may take its place. Formerly, the marriage ceremony was divided into two parts: the *Erusin*, or betrothal, and the marriage proper. The first consisted in the *Kiddushin* ceremony and was performed earlier than the marriage proper. And while the woman was considered married, inasmuch as intercourse with another man was considered a crime, severely punishable, she did not yet have the full status of a married woman in regard to other matters, such as the duties of the husband towards her until she actually came to live with him, or after the *Hupah* ceremony. For centuries, however, this division of ceremonies has not been practiced. Now the betrothal and marriage ceremonies are combined. The pair are brought under a canopy and a benediction called *Birkat Erusin*, referring to the sanctity of betrothal and marriage, is pronounced over a cup of wine. Following this, the *Kiddushin* ceremony is performed with the pronouncement of the above-mentioned formula. The *Ketubah* is then read. The *Ketubah* is the formal marriage document in which the willingness of both parties to enter into the contract of marriage is expressed and some of the mutual duties specified. Besides, the husband obligates himself to give to the wife a certain sum as the *Mohar*, i.e., dowry. This sum was fixed in early times as 200 *Zuzim*, about \$50 if the bride was a virgin and 100 *Zuzim* if a widow or divorcee. The *Ketubah* money is paid on divorce or

on the death of the husband when the widow leaves the house. It is customary to increase the endowment to any amount the groom may see fit; usually it is doubled and the *Ketubah* is read that way. After the reading seven benedictions are pronounced over a cup of wine. Because of this number, the benedictions are usually referred to as *Sheba Berakot*, i.e., seven benedictions. There is an ancient custom to break a glass at the conclusion of the wedding ceremony. The reason given is to remind the cheerful throng of the destruction of the Temple by an admixture of grief—though of a slight nature—over the loss of a glass which in former times was usually a very expensive one. At present, however this has lost significance. At the wedding feast, the seven benedictions are again recited after grace. The ceremony is, as a rule, performed in the presence of ten men, a *Minyan*, i.e., a quorum, but this is not an absolute necessity.

As it is stated in Leviticus XXI, 7, a *Kohen*, i.e., an *Aaronide*, is not allowed to marry a divorcee and the injunction has been observed even in exile through the ages.

#### 40. MARITAL LIFE

Although Jewish law enjoins a number of restrictions upon the rights of the married woman, for it gives to the husband the right to the profits of her labor and the enjoyment of the income of her private property, still the place of the woman in the family is an honorable one. The entire Jewish literature, the Bible, the Talmud, and the post-Talmudic works, continually extol the value of a happily married life and make it dependent upon the respect paid by the husband to the wife. The Book of Proverbs contains an extensive poem, arranged alphabetically, in praise of the virtuous woman (Proverbs XXXI, 10–31), and in another place it says: "Whoso findeth a wife findeth a good thing, and obtaineth the favor of the Lord" (ibid. XVIII, 22). Ben Sira declares: "A good wife is the best of gifts."<sup>6</sup> The Talmud, in laying down the

<sup>6</sup> Proverbs of Ben Sira, XXVI, 13.

conditions of a happily married life, says: "One who loves his wife more than he loves himself and honors his wife more than he honors himself, he can be sure that peace and harmony will reign in his house; as the verse says, 'And you will know that peace is in thy tent'" (Job V, 24).<sup>7</sup>

Judaism insists on modest conduct on the part of the married woman, and such conduct is exceedingly praised by the sages, while the reverse is reproved severely. A certain standard of conduct is even called the law or code of the Jewish woman (*Dat Yehudit*). The one who transgresses it is subject to punishment, inasmuch as the husband may divorce her without giving her the fixed sum designated in the *Ketubah*. Among the breaches of the standard of conduct are, going out in public with uncovered head, spinning or weaving in the street, thereby attracting the attention of the passersby, and flirting with strangers.<sup>8</sup> Some of these, especially the first breach, seem too stringent to the modern man and woman, but we must not forget that these rules were formulated in an Oriental environment.

Likewise, mild continence in marital relations is urged, and in reality not only urged but excess is prevented by laws concerning prohibition of intercourse during the menses. The Bible explicitly states that intercourse is forbidden for a period of seven days from the beginning of the menses. Rabbinic law is severe in this matter and decrees that seven days must elapse from the day the flow ceases entirely, and only then can intercourse be resumed. The severity of the Rabbinic law causes an extension of the prohibited days to various numbers depending upon the complete cessation of the flow. The Bible also prohibits intercourse during seven days after the birth of a male child and fourteen days after the birth of a female child. Later law imposed here also the rule of seven days of purity, but if the flow has not stopped, the prohibition may extend to fourteen days in case of the former, and twenty-one days in case of the latter.

<sup>7</sup> Talmud Babli, *Jebamot*, 62.

<sup>8</sup> Talmud Babli, *Ketubot*, 72b.



However, even after the termination of the seven days of purity, intercourse is permitted only after immersion of the woman either in the waters of a river, or a well, or in a place where water is collected, either rain water or water drawn from a river or a well. The collected water must contain at least 240 gallons (literally 40 *S'ah* or a space of three cubic cubits filled with water). There are numerous laws and regulations connected with it, both in regard to the observation of the days of menses and those of purity, as well as the construction of the *Mikveh*, i.e., the ritual bath, and the manner of immersion. But these are primarily for specialists; we only give the general outline.

These laws were scrupulously observed by Jewry for millennia and are still observed by a large number of Jews. In former times, and even today, there is hardly a well-established community which does not maintain a bathhouse with a *Mikveh* constructed according to regulations. The observance of this rite is called *Taharat ha-Mishpahah* (the purity of the family), and there is no doubt that it contributed much towards raising the family life to a higher level by introducing moderation in marital relations and that it is also advisable from a biological point of view as testified by authorities.

#### 41. DIVORCE

The attitude of Judaism towards divorce can, on the whole, be considered a liberal one. The Pentateuch states explicitly that "when a man hath taken a wife and hath married her, and it came to pass that she find no favor in his eyes because he had found some uncleanness in her, let him write her a bill of divorcement, and give it in her hand and send her out of the house" (Deuteronomy XXIV, 1). From the literal meaning of the verse it follows that the only condition for divorce is adultery on the part of the woman, or unseemly conduct in matters of religion, such as conversion to another faith, or open transgression of important precepts which may be sub-

sumed under the term uncleanness. And this is the opinion of the school of the early Tannaim (Beth Shammai). However, the School of Hillel held a more liberal view and allowed divorce for other reasons, such as inattention to matters of the household or a general incompatibility of character. Akiba went further and allowed divorce for even a personal change of attitude of the husband towards his wife.<sup>9</sup> The accepted opinion, though, is that one cannot divorce his first wife except for uncleanness, i.e., conditions stated above, but has greater latitude in case of the second wife. It is said of one who divorces his first wife that "even the Altar weeps because of him."<sup>10</sup>

However, both the severity and the lenience assume a different aspect if we attend to other phases of the Jewish law of divorce. According to Jewish law the husband is the only one who has the right to divorce his wife. A court has no right to grant a divorce, nor can the wife sue for one. What is more, according to Talmudic law, she can be divorced even against her will. But from the 10th century on, that is since the decree of Rabbi Gershom, it was established that no man can divorce his wife without her consent, and it is in that way that Jewry has conducted itself for close to a thousand years. Consequently, the conditions necessary for the validity of a divorce mentioned above lose their importance since a divorce is valid only by mutual agreement. Only in exceptional cases can the court interfere either at the request of the wife on account of certain diseases, or at the request of the husband for definite reasons, and force the husband to a divorce or the woman to accept one. Otherwise it is the husband of his own free will who gives the divorce with the consent of the wife.

The divorce bill is written and issued by the court, which sees that all regulations are observed. The principal regulations are as follows: (1) Divorce must be by a bill in writing, no oral statement suffices. (2) The writing must be done, as stated, at the bidding of the husband. (3) It must be written

<sup>9</sup> T. B. *Gittin*, 90a.

<sup>10</sup> *Ibid.* 90b.

according to a certain version which states the purpose clearly and in no ambiguous words. (4) The bill must be written with intention for the particular man and the particular woman. (5) It must be signed by two witnesses. (6) It must be given into the hands of the woman or placed in one of the vessels she uses frequently. (7) It must be given to the woman before two witnesses. In addition, the exact date must be stated, year of creation, month, and day. From the strictly legal point of view, the bill of divorce can be written in any language and in any script. However, it was decided to use the standard version handed down from Talmudic times which is in the Hebrew script and in the Aramaic language, and for many centuries no one has dared to introduce any changes. The bill must be written clearly in a legible handwriting and with proper spelling, and in general, with great carefulness so that no possible mistake in the reading of a word may ensue. Consequently, there are numerous rules and regulations in regard to the writing of the bill any breach of which may invalidate it. The witnesses must not be related to one another nor to any of the principals.

The husband does not necessarily need to hand over the divorce himself; he can do so through an agent. In view of the numerous rules and regulations attached to the execution of the divorce, the act is carried out before a court of three men of which a Rabbi well versed in the Law is a member. On the receipt of the bill of divorce, the woman is paid by the husband the sum stated in the *Ketubah*, the amount fixed by law, as well as any additional sum he may have promised at the wedding.

Traditional Jewish law requires for a legal divorce that the bill be executed according to all regulations and does not accept a civil divorce in lieu of it, but the practice today is that no Jewish divorce is issued unless a civil divorce has previously been obtained.

According to Biblical law, a man may remarry his divorced wife provided she was not married to another in the interim. If she was he cannot remarry her. A *Kohen* or an Aaronide



cannot remarry his divorced wife. The husband may remarry immediately after the divorce but the wife must wait three months after she receives the bill of divorce. This is done in order to establish definitely the paternity of the child to which she may give birth after her second marriage. It is thought that this period would establish definitely when pregnancy began.

#### 41a. YIBUM (LEVIRATE MARRIAGE) AND ḤALIZAH

It is stated in the Pentateuch (Deut. XXV, 5-10): "If brethren dwell together, and one of them die and have no child, the wife of the dead shall not marry unto a stranger; her husband's brother shall go in unto her and take her to him to wife, and perform the duty of an husband's brother unto her. And it shall be, that the first born that she beareth shall succeed in the name of his brother that is dead and his name be not blotted out of Israel. And if the man like not to take his brother's wife, then his brother's wife shall go up to the gate unto the elders and say: 'My husband's brother refuseth to raise up unto his brother a name in Israel; he will not perform the duty of a husband's brother unto me.' Then the elders of the city shall call him and speak unto him; and if he stand and say: 'I like not to take her'; then shall his brother's wife draw nigh unto him in the presence of the elders and loose his shoe off his foot, and spit in his face and say: 'So shall be done unto the man that buildeth not up his brother's house.' And his name shall be called in Israel the house of one that had his shoe loosed."

We have an explicit statement that if a man dies childless, his wife is not allowed to marry any other but her brother-in-law, unless he refuses to marry her. He must then release her by the ceremony of *Ḥalizah*. We are also given the reason for such injunction, namely, that the Levirate marriage must take place in order that the name of the deceased shall not be blotted out of Israel, which indicates both the great importance attached by the Jews to the continuation of the fam-

ily through the descendants, and the dread of disappearing from the world without leaving any vestige. In transferring the marital duties to the brother and in naming the first-born child after the dead man, there is a symbolic continuation of the original family. The practice of this kind of marriage, called *Yibum* from the noun *Yabam*, brother-in-law, though enjoined in this passage by a mandatory law, goes back to patriarchal times, as is evidenced by the passage in Genesis, XXXVIII, 2-10. We are told there that when Er, son of Judah, died childless, his brother Onan married the widow, and when he too died childless, she waited for the younger brother Shelah.

The law of Levirate marriage, though given in comparative detail, is not explicit enough in certain particulars, and the Oral, or Talmudic law, had to supplement it. Accordingly, we have the following regulations. The duty to marry the brother's widow rests only upon the brother of one father and not upon the brother of one mother. It devolves upon him under all circumstances, though he be only an infant of a day or less, or even illegitimately born (*Mamzer*). However, if that brother was born after the death of the husband, though the mother-in-law was pregnant at the time, the widow is free to marry a stranger. If there are several brothers, the duty rests upon the eldest, but if, for one reason or another, he cannot fulfill it, then any other brother may assume the duty.

The childlessness of the deceased must be complete. If he had a child, son or daughter, from another woman, whether legitimate or illegitimate, the widow is free. Again, if the widow was pregnant at the time of the death of her husband, and she gave birth to a child who died immediately after birth, she is free, provided the child was not prematurely born. It is, of course, understood that if the widow was the niece of her husband, i.e., the daughter of his brother, that the law is abrogated in this case. There are also other cases which bring about abrogation of the law, but we cannot enter

into such complicated matters, as they are of little practical value.

According to the Biblical law, there is no need in the case of the Levirate marriage for an official ceremony of *Kid-dushin*, but an early Rabbinical ordinance requires such ceremony. Biblically, *Yibum* is preferable to the release by the ceremony of *Halizah*, as is evident from the text of the passage quoted, in which the ceremony is intended as a means of degradation of the brother-in-law who shirks his duty. However, as early as Talmudic times, opposition arose to the Levirate marriage and *Halizah* was preferred. In later times actual *Yibum* fell into desuetude and the widow was freed by *Halizah*.

The ceremony of *Halizah* is, on the whole, performed according to the form laid down in the Bible. The brother and widow appear before a court of three judges. These co-opt two more, even laymen not versed in the law. After brief preliminaries, ascertaining by documents or witnesses the absolute childlessness of the deceased, as well as the authenticity of the brother, court asks the couple whether they both agree to *Halizah*. The answer given in the affirmative, the brother is ordered to don a leather shoe made for that purpose, and the widow slips it off, spits on the floor,\* and repeats the verse of the Pentateuch quoted above: "So shall be done," and the court and the others assembled repeat three times "One who had his shoe slipped off" (*Haluz ha-Naal*). It is customary to have ten people witness this ceremony.

No *Halizah* is performed before ninety days have passed from the time of the death of the husband. This time limit is necessary in order to ascertain whether the widow is pregnant or not.

There is no doubt that this law of *Halizah* often causes great hardship to the widow, as when the whereabouts of

\* It is to be noted that the Sadducees insisted upon interpreting the words of the Bible, *We-Yarkah be-Fanav* (Deut. XXV, 9), literally "to spit in his face." The Pharisees said that *be-Fanav* means "in his presence."



the brother is unknown, or when he is still in his infancy, or when he is a man of mean character and utilizes the plight of the woman in order to extract a sum of money from her. As a result, attempts have recently been made by scholars to devise legal means, through insertion of a condition in the marriage contract, which should obviate the ceremony. However, such attempts have not yet met with common approval of scholars and Rabbis.

#### 42. DUTIES OF PARENTS TO CHILDREN AND VICE VERSA

The father has certain duties towards his children which he must perform to the best of his ability. In addition to support during the years of minority, the most important duty in regard to the sons was the provision for teaching of the Torah, in other words, to give him an education. This was for centuries considered the prime duty of the father, or in case of an orphan that of the mother, and no Jew or Jewess shirked that duty. Even the poorest of the poor scraped together some money to pay for the teaching of their sons. Another duty is to teach their sons a trade or a profession by means of which they should be able to earn their living.

The most important duty of the father towards the daughters is to give them in marriage. This duty too was scrupulously observed in the Jewish family for centuries. When the daughters began to grow up, the principal problem of the parents was to marry them off. To help the parents solve the problem or to marry off an orphan girl was considered the highest type of benevolence. There was hardly any *Mitzvah* greater than *Haknosat Kallah* (to help marry off a young woman).

The duty of the children to honor their father and mother is explicitly stated in the Ten Commandments. However, while the commandment is brief and general, later Jewish law is specific. It obliges the son to show the parents proper respect, such as not to contradict the statements of his father, nor to interrupt his speech, nor to occupy his seat at the table,

and similar marks of respect. The son is also obliged to give him personal service if necessary. And if the parents have no means of support, the son or sons are obliged to support them. In case of refusal, the Jewish court enforces the performance of this duty. This, of course, cannot apply to a married daughter since she is not financially independent. However, an unmarried, widowed, or divorced daughter has the same obligations as the son towards the parents.

#### 43. MOURNING

The duty of mourning falls upon seven relatives mutually, namely, father and mother, children, brothers and sisters, even if only of the same mother, and husband and wife. These mourners are obliged to rend the garments they wear at the time of the death of the relative. The rent is larger when the dead are parents, for such mourning is of a severer nature. On the day of the death the mourner is relieved of the performance of religious duties, such as prayer and putting on of *Tefillin*. That day is called the day of *Aninut*. After the funeral the seven days of mourning or *Shib'ah* begin, during which time the mourners sit on low stools and do not do any work unless there is great necessity because of poverty or exceptional loss, in which case they may engage in work after three days. Mourners are also forbidden to bathe, cut their hair, perfume their bodies, wear shoes, or study, except portions in which suffering is referred to, such as the Book of Job. A part of a day is considered a whole day. Consequently, the mourning is in reality carried on only for six days and one hour. If the burial took place before sunset, this is also considered a day. On the Sabbath of the week of mourning, public signs of deep grief, such as removing the shoes, not changing clothes, or sitting on low seats, are dispensed with, but other things of a private nature are observed. The holy days have the force of annulling mourning, e.g., if the burial took place an hour before the holiday, the mourner is not obliged to sit *Shib'ah*, but if the death occurred on *Hol ha-Moed*,

mourning is completed after the holidays. From the seventh day to the end of the month the relative maintains a lighter type of mourning, during which he does not cut his hair or wear new clothes, nor is he allowed to marry during that period. If a holiday intervenes, this form of mourning is annulled. If one was not present at the death of the relative but was informed within thirty days, he is obliged to sit *Shib'ah*, but if the news came later, the severer form of mourning lasts for one hour.



PART II  
THE PRINCIPAL VIEWS OF JUDAISM



## CHAPTER VI

### GOD AND THE WORLD

#### A

#### GOD

#### 44. CONCEPTION OF GOD

Of the numerous concepts and general abstract notions which the human race has developed in its long course of progress, the concept of God is the most important and the most prominent one. All races, scattered in space through the breadth and length of the earth, and in time, from the dawn of history to the present day, had and have some kind of conception, more or less perfect, of God. They all believe in the existence of a Being or even of more than one who is superior to, and above, the created things. How this concept or notion developed and came into fruition is the business of anthropologists, ethnologists, historians, and psychologists of religion to investigate. What interests us is the point of departure of the Jewish people in this matter from all other civilized nations of antiquity. While all the others, including the Greeks, arrived at a purer conception of the Godhead by contemplating the external world, the Jews, on the contrary, reached an understanding of the world through the concept of God.

The monotheistic God-conception is an elemental trait in the character of the Jewish people, or so to say, an intuition inherent in their mind. The revelation at Sinai with all its majesty as described in the Book of Exodus, Ch. XX, was only a means to clarify and fix in the mind of the entire people the pure conception of the Godhead which was present only in



the minds of the select few, the outstanding ancestors of the nation, the Patriarchs, and less pure in the minds of the group as a whole. We have already noted that notwithstanding the various theories which Bible critics and historians advance regarding the development of monotheism in Israel, all these theories and suppositions as well as the deductions from archaeological discoveries cannot explain the unique phenomenon expressed in the Jewish conception of the God-head.

It is because of this religious intuition par excellence that we do not find in the entire Old Testament any attempt to prove the existence of God. It was considered an axiom regarding the truth of which no doubt could enter one's mind. In the two places of the Bible (Psalms XIV, 1 and LIII, 2) where it is said: "The fool hath said in his heart there is no God," the meaning is not that God does not exist—that thought could not occur to anyone—but that there is no providence, as is quite evident from the context. Similarly, Job, writhing in pain, complains bitterly against God's injustice or indifference to the suffering of the righteous, but utters no word which may intimate doubt in His existence. The many passages found in the various parts of the Bible in which nature in its full glory and majesty is exalted and described as the handiwork of God are not intended as proof for His existence, but merely to point out the manifestations of His greatness. It is in this matter that we are to understand verses 2 and 4 in Psalm VIII: "O, Lord, our Lord, how excellent is Thy name in all the earth, Who hast set Thy glory above the heavens," and "When I consider Thy heavens, the work of Thy fingers, the moon and the stars, which Thou hast ordained." The same meaning is expressed in many similar passages.

This God of Judaism is not an abstract principle as in Greek philosophy, but a living active Being whose activities are constantly emphasized throughout the Bible. The title "a living God" is bestowed upon Him many times (Deuteronomy V, 23 et alia). He is thus endowed with the qualities of personality.

There are a number of names applied to God in the Bible, most of them of a general nature, such as *Elohim*, or the singular *Eloha* or *El*, all of which were common Semitic names for God or gods. The name *Elohim*, though plural in form, by no means signifies even a remote reference to a plurality of gods but is used as a plural of majesty, such as *Baal* and *Adon*. There is, however, a special name used only in the Bible and by Judaism called the Tetragrammaton, namely the four-lettered name, YHWH. This is more than a name, for according to definite uses made of the name in the Bible, the veneration placed upon it by tradition and the interpretation of the greatest Jewish thinkers through the ages, it signifies a certain manifestation of His existence, or it may be His existence itself—namely, that He is the basis of all existence. It is undoubtedly derived from the verb *Havoh*, to be, or to exist. However, we are not certain of the right reading of the name for the Jews out of reverence read the Tetragrammaton as if it were written *Adonai*, i.e., our Lord, and similarly, it is punctuated in the Bible with the vowels of that word. According to this punctuation it is read in English Jehovah. But Judah ha-Levi maintains that the Tetragrammaton is really a verb and should be read *Yahveh*, i.e., one who brings forth existence. He is followed in that reading by German scholars.

God is one and unique, simplicity itself. The unity of God in all its phases is the fundamental thought in Judaism and is repeated numerous times in the entire Jewish literature beginning with the Decalogue and extending through the entire Bible, Apocrypha, and Talmudic and Midrashic literature. The thought is epitomized in the statement of Isaiah XLIV, 6: "I am the first, and I am the last, and besides Me there is no God."

If God is conceived as endowed with the qualities of personality, then His activity follows as a necessary corollary from that concept. His first and most important form of activity was manifested in the creation of the world which is His handiwork. Nature, in accordance with this view, is not an independent mysterious power as the Greek philosophers

thought, but is, by the very condition of coming into existence, dependent upon God, and serves primarily as an instrument for the continuous manifestation of the divine creative power. This view also imparted dignity to human life, for man is freed from subjection to nature and fear from a blind fate which hangs over him like a Damoclean sword, as the ancient pagans believed.

Creation is one of the manifestations of divine activity. Another is His revelation in the life and conduct of man or His providence. (See below.)

#### 45. ATTRIBUTES

Neither in the Bible nor in Talmudic literature is there any attempt made to describe the essence of the Godhead in a philosophic manner. This essence is usually described by the attributes. However, of the numerous appellations we find in the Bible as well as in later literature, we can distinguish a few which offer an approach to a conception of His essence or of His nature and character. All others which bear an anthropomorphic character, namely, ascribing to Him characteristics which are human, such as warrior, mighty, etc., are only metaphors used by the lawgiver and the prophets in order to convey to the people at large some idea of the majesty of God and His relation to the world. The people, as a whole, in earlier times and even in our own day, do not think in the abstract but in the concrete. Consequently, images and metaphors had to be used in order to impart some notion of the Godhead and especially of divine activity in this world. For the same reason, numerous anthropomorphic expressions are employed to indicate this activity and relation, such as God sees, hears, rises, goes forth, and many others. Those attributes, on the other hand, which indicate a closer approach to the conception of the nature of the Godhead are all of an ethical nature, which point to the fact that God is conceived by Judaism not only as manifesting Himself in nature and in history, but also as an ethical personality. These are enu-



merated in Exodus XXXIV, 6, 7: "The Lord passed by before him (Moses) and proclaimed, 'the Lord, the Lord God, merciful and gracious, long-suffering and abundant of goodness and truth. Keeping mercy for thousands, forgiving iniquity and transgressions, and that will by no means clear the guilty, visiting the iniquity of the fathers upon the children and upon the children's children up to the third and to the fourth generation.'" These are usually the thirteen attributes which denote the nature of the Godhead. Of course, it is to be understood that even these do not reveal His essence and only describe His nature in relation to the world and man. In other words, these are what later Jewish philosophers called the active attributes, namely, abstracted from God's activity in this world, mainly His providence. It is also to be noted that even in these attributes there is a ring of anthropomorphism, for merciful denotes emotion which is a human trait. The Jewish religious philosophers of the Middle Ages devoted much effort to explaining these terms and succeeded to a great extent. The important point is the ethical character of divine activity from which it follows that in Judaism God is conceived as an ethical personality par excellence or as the source and fountain of all morality. In spite of His omnipotence, His activity could not be other than ethical. This attitude is typically expressed in Abraham's plea to save Sodom from destruction even if there should be found therein only a few righteous men, saying: "That be far from Thee. Shall not the judge of all the earth do right?" (Genesis XVIII, 25). That such ethical attributes are inalienable to the Godhead is constantly emphasized in the Bible. To name only a few: "For He put on righteousness as a breastplate" (Isaiah LIX, 17); "For the righteous Lord loveth righteousness" (Psalms XI, 7), and in many more places. Besides the above-enumerated ethical attributes, there is still another frequently applied to God, namely, holiness, or in the adjective form, holy.

Holiness is likewise a manifestation of God's nature. In general, the term holiness implies distinction, importance, and dignity or exaltation above others. In regard to the God-

head, this attribute is used in the Bible in connection with a manifestation of His power, righteousness, and majesty. Whenever these are manifested, He is described as holy, for His name is then hallowed among men. Thus Ezekiel, speaking of the promised redemption of Israel, says: "When I bring you out of the peoples and gather you out of the countries wherein you have been scattered, and I will be sanctified in you before the heathen" (XX, 41). Similarly, when God punishes the wicked—which is a manifestation of justice—He is sanctified, as the same prophet says: "Thus saith the Lord God, 'Behold, I am against thee, O Sidon, and I will be glorified in the midst of thee, and they shall know that I am the Lord when I shall have executed judgment in her and shall be sanctified in her'" (Ezekiel XXVIII, 22). Even when He punishes the righteous for a sin committed, He is sanctified, as in the case of the death of the sons of Aaron, where it is said: "I will be sanctified in them that come nigh to me" (Leviticus X, 3). Since the attribute holy signifies manifestation of divine power, Isaiah, who speaks more than any other prophet about the close relation of God to Israel and the frequent revelation of His power in the life of the nation, uses often the title "Holy One of Israel" in regard to God. Especially frequent is its use in the latter part, Chaps. XL–XLVI, in passages where redemption is the theme. Thus: "Thy redeemer, the Holy One of Israel" (XLI, 14); "The Holy One of Israel, thy Savior" (XLIII, 3); "Thus saith the Lord, your Redeemer, the Holy One of Israel" (ibid. 14); and in numerous other places. In the legal part of the Pentateuch, the concept holiness is inherently connected with dignified ethical conduct in which the distinctness of the person or the group is expressed. To all laws forbidding incestuous relations or other prohibited intercourse, such as the relations with a betrothed or married woman as well as unnatural ones which typically express the violation of the distinctness and sacredness of the human personality, there is appended the injunction: "Sanctify yourself therefore, and be ye holy, for I am the Lord, thy God" (Leviticus XX, 7). The same formula is

appended after the dietary laws, which likewise form a mark of distinction of the group, saying: "I am the Lord, your God. Ye shall therefore sanctify yourselves, and ye shall be holy, neither shall ye defile yourselves with any manner of creeping things that creepeth upon the earth" (ibid. XI, 44). The laws of high social ethics are also prefaced with the words: "Ye shall be holy, for I, the Lord, your God, am holy" (ibid. XIX, 2).

From all these it is evident that God is considered the archetype of all moral conduct to be imitated by the Jews, as expressed in the early Tannaitic statement: "God said to Moses, 'Tell the children of Israel, My children, just as I am merciful, so shall ye be merciful, and just as I am holy, so shall ye be holy'" (Sifra Ch. XI).

## B

### THE WORLD

#### 46. CREATION

The world, says Judaism, was created by God. According to accepted tradition which is continually reiterated throughout post-Biblical literature, it was created from nothing. Belief in the creation of the world is a primary article in Jewish faith, and in creation from nothing a secondary one, though of great importance.<sup>1</sup> However, not all dogmatists agree on that point.

Creation was taken as a fact in the Bible, and no reason is given as to why the world was created or for what purpose. The Rabbis frequently stated its purpose, and mediaeval philosophers attempted to supply the why. According to the latter, creation follows inherently from the nature of God

<sup>1</sup> According to the right interpretation of Article IV in Maimonides' *Credo*, only the creation of the world in general by God is asserted therein but not *ex nihilo*. In fact, Albo says distinctly in his *Ikkarim* (Book I, Ch. I) that Maimonides did not count creation from nothing as a dogma. Albo himself counts it as a secondary dogma (ibid. Ch. XXIII). Other dogmatists, though, counted it a primary dogma. Cf. Waxman, "Maimonides as a Dogmatist," Year Book of Central Conference of American Rabbis, Vol. XLV pp. 408-409.



who is essentially good, and since, according to the Jewish view existence is good in itself—in contradistinction to the Hindu and Greek view—creation is a necessity as an overflow of His goodness. This view finds support in the Pentateuch, for after every stage in creation it is stated: “and God saw that it was good.” As for the purpose or rather the goal—since according to the view stated no purpose is necessary—man is that goal, as it is said: “He created it (i.e., the world) not in vain; He formed it to be inhabited” (Isaiah XLV, 18). The Rabbis, however, basing themselves on this verse, elaborated the thought and introduced a moral purpose in the creation of the world. It is not only man but the righteous man for whose sake the world was created. Verse 13 in Ch. XII in Kohelet says: “Let us hear the conclusion of the whole matter, ‘Fear God, keep His commandments, for this is the whole of man’” (*Ki Ze Kol ha-Adam*). The Rabbis interpreted the last words as follows: *Ze Kol*, etc. (*Kol* may mean whole or all) means all the world was created for the sake of the man who fears God and obeys the commandments.<sup>2</sup> This ethical purpose of creation is expressed more clearly in another Agadic statement which says: “God created the world conditionally, namely, that if the Jews should accept the Torah, it would continue to exist, but if not, it was to return to chaos.”<sup>3</sup> The meaning of the dictum is that if there is not at least one group of people dedicated to the observance of the moral laws enjoined in the Torah, the world has no *raison d’être* and it were better that it turn back into chaos than continue its existence.

#### 47. PROVIDENCE

From the premise that the world is the handiwork of God and that He constantly manifests His power both in nature and in life, it follows that He exercises providence over the process of events in this world. Accordingly, the Bible emphasizes numerous times that God observes all events and hap-

<sup>2</sup> Talmud Babli, Berakot, 6a.

<sup>3</sup> Talmud Babli, Abodah Zara, 5.

penings in the world and that nothing which takes place, no matter how insignificant, escapes Him. Frequently, this providence is expressed in the figurative language of the time by the word *eye*, as in the verse: "The eyes of the Lord which run to and fro throughout the whole earth" (Zechariah IV, 10).

The idea of divine providence served as an important factor in the spiritual and moral development of humanity, but its penetration into the consciousness was slow. And it is due to the prophets of Israel and their continuous emphasis of this doctrine that it ultimately prevailed. It was they who supplied meaning to history and introduced into the constantly changing complex of life's events a certain order and a type of unity, or better still a certain form of the law of causality.

The conception of history of most of the peoples in the ancient world was a very confused one. The numerous events which took place in the world were looked upon as a jumble of happenings brought about by chance without unity and orderly sequence. Even the Greek thinkers who knew of a law of causality left ample space to fate and chance. The Prophets fought against such a view and inculcated the idea that history is a process of causes and effects. Thus says Amos: "Will two walk together except they be agreed? Will a lion in the forest roar when he hath no prey? Will a young lion cry out if he have taken nothing? Can a bird fall in a snare upon the earth where no trap is set for him? Shall one take up a snare from the earth and have taken nothing at all? Shall a trumpet be blown in a city and the people be not afraid?" (Amos III, 3-6). Amos thus proves in a simple and clear manner that events or actions do not take place even in the life of animals without cause, and the corollary is that so much more is there a cause for great events in the life of the human group. He emphasizes that the cause of all changes in the life of nations is God, as stated in verse 6, which is the climax of this remarkable passage.

Divine providence taught by the Prophets is *eo ipso* an ethical purposive one, for since God is the archetype of morality, it could not be otherwise. Hence, the fundamental prin-

ciple of that providence, or still better, of history in general—at least as far as it is manifested in the life of nations—is the one known as the cause and effect relation between sin and punishment. Time and again, Prophet after Prophet inculcated this principle as a way of explaining the life of the Jewish nation, and in their efforts to enunciate it, they equated the validity of the laws of the moral world with that of the laws of nature. For while the Prophets believed in God's constant manifestation in nature and made it His handiwork and dependent upon His will, they did not deny the stability of nature and the permanence of its laws which He Himself had established.

They therefore assert that just as it is impossible to transgress the laws of nature without suffering the necessary consequences, it is likewise impossible to transgress the laws of morality and escape unscathed. Punishment in this case follows necessarily just as in the former. Again, Amos leads in the inculcation of this principle, saying: "Shall horses run upon the rock? Will one plow there with oxen?"\* For ye have turned judgment into gall, and the fruit of righteousness into hemlock" (VI, 12). The meaning of this parable is that just as horses cannot run on the rock but plod their way up slowly, for otherwise they would break their necks or fall from exhaustion—since they break a law of nature—so must those who disparage justice or trample upon righteousness be punished. And this principle ultimately became the substratum of the prophetic view of the fate of Israel as well as of the general situation in the social and political world. It is especially developed by Isaiah in numerous prophecies which assert the necessity of punishment for all sinning nations including Israel. In a broader sense, all nations, even the mighty ones, are only instruments in the hands of God. If we see a powerful nation conquering other peoples, it is not by its own

\* This is the translation of King James which follows the text. But according to a slight emendation by Luzzatto, this part of the verse will run: "Will one plow the sea with oxen?"



might that it is able to do so, but by the will of God who makes it possible for the nation to accomplish its deeds for a definite purpose, mainly to punish the conquered for their sins. This is stated clearly in the words of Isaiah: "O Assyrian, the rod of my anger and the staff in their hand is my indignation. I will send him against an hypocritical nation and against the peoples of my wrath will I give him a charge to take the spoil and to take the prey and to tread them down like the mire in the street" (X, 5, 6). He continues to tell us that when the time of Assyria will come, it will be punished in turn. The thought is repeated by this Prophet several times, and is likewise expressed by other Prophets in their continual reproaches and warnings to Israel against the consequences of their deeds.

This view was accepted by later generations and became an integral part of Jewish tradition and belief. Moreover, in the course of time, the individual soon came into his own—not that the Bible totally disregards the problem of the individual but it does not emphasize it prominently except in the Book of Job.—And as a result, the question of providence was extended and became more complex and its function more embrative. Consequently, the problems connected with it also became more numerous, for life does not always confirm the theory that the punishment fits the crime. It is therefore not to be wondered at if we find in the later literature, such as the Talmudic and Midrashic, a product of centuries of life under various conditions, different views on this all-important subject of providence. There are some which extended it to embrace every move of man. Thus the statement of one Rabbi reads: "A man does not even strike a finger here below unless it is decreed from above" (Hulin, 7), and in another statement it is said: "Every action of man is controlled by heaven—except the fear of the Lord" (Ketubot, 30), meaning that man is free to choose between right or wrong. Some views allow a man wider latitude, but none deny God's relation to the world as expressed in providence.

However, these phases of providence and the problems they entail are inherently connected with other fundamental views, such as reward and punishment and freedom of the will, which are discussed subsequently.

## CHAPTER VII

### MAN AND ISRAEL IN RELATION TO GOD

#### 48. MAN

We will now turn to man, the value and worth of his personality as reflected in Jewish teachings. We have already noted the important position of man in the world according to Judaism, but it teaches more than that. First of all: "Man," says the Pentateuch, "was created in the image of God" (Genesis I, 26; V, 1). One of the great Tannaim, Rabbi Akiba, said: "Man is beloved by God for he was created in His image, and this love is of great advantage to him" (*Abot* Ch. III, 18). Without entering into the theological difficulties in which the statement may involve one and into the discussion of the various explanations of the meaning of the "image of God," we may point out the important implications bearing upon the dignity and importance of man which are embodied in the words.

The first implication of this view is the equality of all men, in their elemental worth, for every man without distinction bears the impress of the divine image. It was so understood by the Rabbis of old, for we find statements to that effect. Rabbi Akiba said: "The words, 'and thou shalt love thy neighbor as thyself,' constitute a great principle of the Torah." Ben Asai said to him: "There is a greater principle, namely, this is the Book of the Generations of Adam. In the day that God created man, in the likeness of God He created him" (Genesis V, 1).<sup>1</sup> The meaning of Ben Asai's statement is that he tells Akiba that the words in his verse are not explicit enough, as the term *neighbor* may be understood with some limitation—as it usually is—and consequently, in spite of this

<sup>1</sup> *Sifra*, Sec. *Kedoshim*, Ch. IV.



principle, there may be discrimination. He therefore quotes the other verse where it is explicitly stated that all men have an elemental worth. A later Midrashic remark upon this verse states: "Said Rabbi Tanhuma, 'Do not say that since I am to be humiliated, let also another man be humiliated.' Know then that God made man in His image, and no effort should be spared to save a man from humiliation or injury if possible."<sup>2</sup>

This concept of the inner worth of man on the basis of his creation is indirectly expressed in the Torah when it forbids the causing of any possible injury to persons weaker and less capable than others. In the Book of Leviticus which contains many precepts both of a purely religious nature and of a social type, the formula "And thou shalt fear thy God" is appended to only five injunctions, namely, XIX, 14, 32; XXV, 17, 36, 43. In all these injunctions, not to curse the deaf, nor to put a stumbling block before the blind, not to cheat, nor to take interest, nor to work a servant too hard, and to honor old age, the people referred to are weak or defective or stupid. The injunctions, therefore, have the appended statement, "And thou shalt fear thy God," namely, know that he also is created in divine impress and an insult or injury to him is like one unto God.

Another phase of the creation of man, as told in the Pentateuch, also served Judaism as a buttress to the doctrine of equality of man. A statement in the Mishnah, the second authoritative book of Judaism, says: "Why was only one man created by God and not several? This was done in order that some people should not say my ancestor was greater or possessed nobler qualities than yours." All men have the same ancestor, consequently, all men have an equal elemental worth.

#### 49. ISRAEL

It is, as stated above, a fundamental tenet in Judaism that the equality of all men follows as a corollary from the view

<sup>2</sup> *Genesis Rabba*, Ch. XXIV, 7.

of the creation of man, and consequently the fatherhood of God is extended to all of them. Yet, it is constantly reiterated in the Bible, both in the Pentateuch and the Prophets and innumerable times in the entire post-Biblical literature, that the people of Israel is selected by God as His people. This selection is first pronounced in Exodus XIX, 5-6: "Now, therefore, if ye will obey My word and keep My covenant, then ye shall be a peculiar treasure unto Me above all people, for all the earth is Mine. And ye shall be unto Me a kingdom of priests and an holy nation." In other places, such as Leviticus XX, 26, Deuteronomy XIV, 1, Israel is again said to belong to God as His own and are called His children. The Prophets speak constantly of the relation between God and Israel in various ways. Ezekiel calls them "the people of God"; Isaiah, though he bestows the title "my people" also on Egypt, still distinguishes Israel by calling them "Mine inheritance."

This election or selection is based on covenants entered into between God and the Patriarchs of the nation and with the nation itself. Thus God said to Abraham: "And I will establish My covenant between thee and Me and thy seed after thee in their generations for an everlasting covenant, to be a God unto thee and to thy seed after thee" (Genesis XVII, 7). Subsequently, we find recorded in the Pentateuch a series of covenants with Israel itself, the first and most important of which is the revelation at Sinai, followed by two executed by Moses, one immediately after the revelation and the other at the end of his life (Exodus XXIV, 7, 8; Deuteronomy XXXI, 14-20). The question arises, what is the meaning of this selection of Israel? Does it mean to impute to them superiority, racial or otherwise, or is it merely a function, a quality? The answer to this question is that as far as we can deduce from the various passages, both in the Pentateuch and in the Prophets which deal with this election, it is primarily of an ethical nature par excellence. It bestows no privileges upon the nation nor does it endow the group with any indigenous superiority, but on the contrary, lays upon it a heavy responsibility and maps out for it a severe way of conduct.

In the passages referring to the covenant between God and Abraham, the following reason is given for the conclusion of the covenant: "For I have known him (Abraham) that he will command his children and his household after him and they shall keep the way of the Lord to do justice and righteousness; that the Lord may bring upon Abraham that which He hath spoken of to him" (Genesis XVIII, 19). We see then the moral purpose of this election. God knows, i.e., selects Abraham in order that he shall command his descendants to act justly and righteously.

The moral purpose of this election is especially emphasized by Amos who says: "Only ye have I known from among all the families of nations, therefore, I shall visit upon you all your sins" (Amos III, 2). The Prophet means to say to Israel, do not think that the divine election is of a racial nature and consequently you will escape punishment for your sins. Nay, just because God selected you as His people, you shall be punished for your transgressions, and even more severely than other nations, for the purpose of this election is the moral improvement of the nation, and it is the duty of Israel to excel all other nations in ethical conduct.

It is, however, true that Hosea injects in this election an element of love between God and Israel. He compares the relation between the two to a relation between husband and wife, and calls a sinning Israel a wayward wife. But this relationship by no means grants any privileges to the nation. Like Amos he chastises the people for their sins and warns them of dire punishment, for the unfaithfulness of a wife is indeed a grave transgression and entails serious consequences. The stern duty and responsibility is thus not lessened by the introduction of the element of the quasi-marital relationship. All that this element implies is the strengthening of Israel's hope for forgiveness and assurance of a loving reception on the part of God when it will repent of its waywardness. The contribution of Hosea to prophetic teachings concerning the destiny of Israel does not consist in his preaching the doctrine of repentance. This doctrine was taught by all Prophets, even



by the stern Amos. Its value lies primarily in the emotional glow which the element of love, introduced by him in the God-Israel relationship, imparts to the act of repentance. God is not a stern judge but is described figuratively as a loving husband and father. It is this element which facilitates repentance even for the weak-willed, for they are assured of a warm reception. The doctrine of election of Israel is frequently repeated in the Talmud and Midrash in numerous passages of which the utterance of Rabbi Akiba can be considered typical. Says Rabbi Akiba: "Beloved are the Israelites, for they were called children of God, and because of His love, He called them My eldest son, Israel" (Abot III, 18). The doctrine of the election of Israel supplied the Jewish people with a notion of a special mission in life, the realization of which is certain to come, if not in the present or even in the near future, then in more distant days.

This mission or destiny is greatly emphasized in the Book of Isaiah both in its first part and especially in its second, which most likely contains the prophecies of an unnamed Prophet of the Exile. Isaiah in his famous prophecy concerning "the end of days" visions Israel as the teacher of nations, saying: "From Zion shall go forth Torah and the word of God from Jerusalem" (Isaiah II, 4). The anonymous Prophet adds a poetic touch when he says: "And nations shall journey by your light and kings by your glow" (Isaiah LX, 3). That light and splendor are used here as symbolic expressions for spiritual influence is self-evident. The Rabbis expressed their idea of their people's destiny in poetic language. They liken Israel to oil and say that just as light comes forth from oil, so is Israel a source of light to the world.<sup>3</sup>

It is also this election for a definite destiny which serves as the guarantee for the imperishability of Israel. The belief in the continued existence of the Jewish people is fundamental with all the Prophets. There is not one among them who dared to imagine the total disappearance of Israel. Isaiah, who frequently threatens his people with severe punishment, re-

<sup>3</sup> *Exodus Rabba*, Ch. XXXVI.



peatedly emphasizes the doctrine of the "remnant" or *Sheor Yashub*, namely, he assumes the possible disappearance of a considerable part of the people, but not all of it, for a portion will always continue to exist. Jeremiah expressed himself more decisively regarding the eternal existence of Israel. To him the timeless continuation of the existence of the people is as certain as the operation of the very elemental laws of nature. Says the Prophet: "Thus saith the Lord who giveth the sun for light by day, and the ordinances of the moon and of the stars for a light by night, who divideth the sea when the waves thereof roar, the Lord of Hosts is His Name. If those ordinances depart from before Me, says the Lord, the seed of Israel also shall cease from being a nation before Me forever. Thus saith the Lord, if the heavens above can be measured and the foundations of the earth searched out beneath, I will also cast off all the seed of Israel for all that they have done" (Jeremiah XXXI, 35-37). The meaning of the verses is that just as it is impossible that these laws be changed, so is it impossible for the Jewish people to disappear from the world.

Ezekiel propounds the doctrine of the eternity of Israel in a somewhat different form. He argues thus: The Jews are the people of God, consequently, their exile conduces to the desecration of the name of God, for the nations believe God powerless since He cannot save His own people. Their redemption from exile will then, on the contrary, bring about the sanctification of His name. He expresses this idea as follows: "They (the Jews) entered unto the heathen whither they went, they profaned the Holy Name, for they said to them, these are the people of the Lord and are gone out of His land. Therefore, say unto the House of Israel, I do not this for your sakes, but for my Holy Name's sake ye have profaned when you came among the nations. I shall therefore sanctify my Name among the nations, and will take you from among the nations and gather you out of all countries, and will bring you to your own land" (Ezekiel XXXVI, 20-24).

The sanctification of God's name is then a guarantee for the

eternity of the Jewish people. Were they to disappear from the face of the earth, the name of God would be desecrated. It follows then from the prophetic standpoint that the people of Israel will exist as long as God Himself exists.

#### 50. REWARD AND PUNISHMENT

From all that was said regarding the relation of God to the world, to man, and to Israel, as well as from numerous other passages both in the Pentateuch and in all the books of the Prophets and Hagiographa, it is self-evident that belief in a complete and all-embracing providence of God over the affairs of man is fundamental to Judaism. In fact, neither the Law nor the prophetic utterances could be understood without positing this belief as a major premise.

Integrated with the belief in providence is the one in reward and punishment for good and bad actions respectively. Since it is God who commands men to be good, and conversely, warns them against committing evil and sin, and it is He who exercises providence over human affairs, it follows as a necessary corollary that He rewards the righteous and punishes the wicked. Accordingly, reward and punishment is a basic dogma in Judaism, and in the Torah there is appended almost to every commandment a promise of reward for obedience, and vice versa one of punishment for transgression.

As for the nature of reward and punishment, the matter is more complicated; the concept went through a process of development. In the Bible the promises both of reward and punishment are, on the whole, of a material and worldly nature and are intended primarily for the people as a whole. Thus, Deuteronomy XI, 13ff: "And it shall come to pass if ye shall hearken unto My commandments which I command ye this day to love the Lord, your God, and to serve Him, that I will give the rain of your land in due season, the first rain and the latter rain that you may gather in thy corn and thy wine and thine oil." Similarly, in Deuteronomy XXII, long life is promised as a reward for observing the precept of

sending away the mother bird when the young birds are taken from the nest. Likewise, warnings of punishment for transgression of commandments contain threats of national disaster and loss of material possessions. Thus Moses, warning the Jews against making graven images and worshiping them, says: "I will call heaven and earth to witness against you this day that ye shall soon utterly perish from off the land whereunto you go over the Jordan to possess it; ye shall not prolong your days upon it, but shall utterly be destroyed" (Deuteronomy IV, 26). The individual transgressor is frequently threatened by *Karet*, i.e., being cut off from his people.\*

The same trend is evident in the prophetic writings. Amos, chastising his people for their sins and foreboding punishment, says: "Therefore now shall they go captive" (VI, 7), or "Gilgal shall surely go into captivity and Beth-El shall come to naught" (V, 5). His promised rewards are also of a material nature, as he says: "Behold the days come, saith the Lord, that the plowman shall overtake the reaper and the treader of grapes him that soweth seed, and the mountain shall drop a sweet wine, and all the hills shall melt" (IX, 13). Jeremiah speaks in a similar vein, saying: "There shall ye come and sing in the height of Zion and shall flow together in the goodness of the Lord, for wheat and for wine, and for oil, and for the young of the flock of the herd, and their soul shall be as a watered garden, and they shall not sorrow any more at all" (XXXI, 12). It is only in the prophecies of Isaiah, both in the first and in the second parts, that the promised rewards assume an intensive spiritual character, such as the famous prophecy of the "end of days" (Isaiah II, 2-4) and the Messianic prophecy (XI, 2-11). In both of these prophecies where the glorious future of Israel is described, there is hardly a reference to material prosperity, the emphasis being laid primarily on peace and the spread of the knowledge of God in the world as a whole with Israel as the bearer and center of these ideals. In the second part again, in numerous passages, promises are made to Israel

\* On the meaning of *Karet* see above, Chapter II p. 60 note.



that it shall be the spiritual light of nations, though there is no lack of promises of material rewards in the future.

The predominance of the promises of reward and punishment addressed to the people as a whole found in the Old Testament, inclined a number of critics and scholars, both Jews and non-Jews, to the opinion that Judaism minimizes the value of the individual and takes account primarily of the deeds of the nation. The case, however, is not so. Not only are most of the laws of the Pentateuch stated in the singular, which proves conclusively that they were given as commands to the individual, but also when promises of reward and punishment are attached to them, they are aimed at the individual. Likewise, the Prophets at times address themselves to the individual, promising him reward for good deeds and vice versa. Thus, we read in Isaiah LVI, 1, 2: "Thus saith the Lord, keep ye judgment and do justice, for my salvation is near to come and my righteousness to be revealed. Blessed is the man that doeth this and the son of man that layeth hold of it, that keepeth the Sabbath from polluting it, and keepeth his hand from doing evil." The prophet Ezekiel is especially anxious to emphasize reward and punishment for the individual. He repeats his dictum twice: "The soul that sinneth, it shall die" (XVIII, 4, 20), and devotes a whole chapter to the thesis that there is individual and personal responsibility for one's deeds. This emphasis was meant to counteract a popular opinion that children may be punished for the sins of their fathers, which is derived from a reference in the Pentateuch itself, where God is described as "visiting the iniquity of the fathers upon the children and upon the children's children unto the third and fourth generations" (Exodus XXXIV, 7). Against this popular opinion both Jeremiah and Ezekiel fought assiduously. Both quote the same adage, the former saying: "In those days they shall say no more the fathers have eaten sour grapes and the children's teeth are set on edge. But, everyone shall die for his own iniquity, every man that eateth the sour grapes, his teeth shall be set on edge" (Jeremiah XXXI, 29, 30). And



Ezekiel thunders: "What mean ye that ye use this proverb concerning the land of Israel? The fathers have eaten sour grapes and the children's teeth are set on edge. All souls are mine; as the soul of the father so also the soul of the son is mine; the soul that sinneth it shall die" (Ezekiel XVIII, 2, 4).

However, we cannot escape the fact that there seems to be a contradiction between the statement in Exodus XXXIV, 7 and the teachings of Jeremiah and Ezekiel, especially that of the latter who specifically says: "The son shall not bear the iniquity of the father, neither shall the father bear the iniquity of the son" (Ezekiel, XVIII, 20). Moreover, there is a contradiction in the Pentateuch itself, for we find the statement: "The fathers shall not be put to death for the children, neither shall the children be put to death for the fathers; every man shall be put to death for his own sin" (Deuteronomy XXIV, 16). The Rabbis in the Talmud noted this contradiction and attempted some reconciliation between the opposing statements. Their view is that all children are, as a rule, not punished for the sins of their fathers. But if the son continues in the path of wickedness of his father, he may also receive additional punishment for the sins of his forebears. Similarly, they claim that if he continues the righteousness of his father, he will receive additional reward for the good deeds of his ancestors.<sup>4</sup> They also point out that reward is extended for many generations, for the words in the same verse, "Keeping mercy for thousands," are interpreted as meaning thousands of generations, while punishment is limited at the utmost to four generations.

Turning once more to the question of the nature and type of reward and punishment, we must admit that while there are some references in the earlier books of the Old Testament to the immortality of the soul, the subject is not sufficiently emphasized. For, as said, the reward and punishment spoken of in almost all books are of a material nature and of this world, and even the promised rewards of a spiritual nature are of this world. It is only in Daniel, a book of a later

<sup>4</sup> Talmud Babli *Sanhedrin* 27b et alia.

date, that we are told twice (XII, 2, 13) with definite assurance of the resurrection of the dead at the end of days, an event which *eo ipso* implies the immortality of the soul, for were the soul to die with the body, one could not speak of a resurrection but of a new creation.

Still, we can assert that the prevalent opinion among many scholars, both Jews and non-Jews, that Biblical Judaism did not know of the immortality of the soul, and that this belief as well as the doctrine of resurrection were foreign importations borrowed from the Persians and the Greeks during the early period of the Second Commonwealth, is incorrect. The numerous references in the Old Testament to the *Sheol* and to some form of life there prove conclusively that the belief was prevalent that the souls of the dead continued their existence in that place. However, the nature of that existence is not described, though it may be assumed that the Biblical *Sheol* is not unlike the Greek Hades. Furthermore, it is almost inconceivable that the Jews, a people endowed with strong religiosity, living in a world in which the belief in the immortality of the soul was almost universal, should have been the exception to the rule and viewed the human soul as dying with the body.

The reason for the inexplicit expression in the Biblical books concerning the continued existence of the soul is due to their closeness to life and the deep sense of reality pervading their content. Books of the Old Testament are neither books of theology nor of metaphysical doctrine. Both the Law and the Prophets are concerned with the regulation of life and its improvement, and primarily life in society. In such case, the most effective and the most tangible modes of punishment are those which deal with matters close to life, namely such which are of a material and this-worldly nature. It is this type which is best comprehended by a group struggling desperately towards an ideal religious life set for them as a goal. It was only due to an acute problem, both in the life of the individual and that of the people, which arose in the early period of the Second Commonwealth and which

demanded a definite solution, that the notions of the immortality of the soul and resurrection existing hitherto in the subconsciousness of the people were projected into the religious thinking of the Jews of the period. Henceforth, they became powerful and vigorous elements in the spiritual growth of Judaism.

The first phase of the problem was the well known one, "the prosperity of the wicked and the suffering of the righteous." The doctrine taught both by the Law and the Prophets that the righteous is rewarded for his good deeds, and vice versa, that the wicked is punished for his evil, was not in accordance with reality, and gradually this problem began to find expression in literature. Jeremiah cries out bitterly: "Wherefore doth the way of the wicked prosper? Wherefore are they happy all that deal treacherously?" (Jeremiah XII, 1). The Prophet Habakkuk, who prophesied around the time of the Exile, complains woefully: "Why dost thou show me iniquity and cause me to behold grievance? For spoiling and violence are before me and there are those that raise up strife and confusion. Therefore the law is slacked and judgment doth never go forth, for the wicked doth compass the righteous, therefore, wrong judgment proceedeth" (Habakkuk I, 3, 4). It found the strongest and fullest expression in the Book of Job where an attempt is made to offer a solution to this grave problem. However, due to the loftiness of some of the solutions presented in the Book of Job, the disturbance of the turbulent souls was not allayed. A more practical solution was needed. The problem became more and more keen when it entered upon the second phase, namely, when reward and punishment were applied to the nation as a whole. The post-exilic Prophets, Haggai and Zachariah, painted for the returned exiles a bright and glorious picture of the state of the nation in the near future. But these prophecies were not fulfilled, and the stern reality of a limited autonomous government, of a nation living in constant fear of aggression by its powerful neighbors and subjection to them, was not in accord with the promised glory. The question arose then



in the hearts of many, where is the promised reward for the chosen people, for the "suffering servant of the Lord?"

It was in such critical times that several ancient ideas embedded in Judaism, but which lacked vitality and influence upon the daily life of the people, were revitalized and supplied with new force and vigor, and to a degree, with new content, as a result of which they became powerful factors in the continued history of Judaism and the Jewish people. These ideas are reward and punishment in the hereafter and the age-old belief of Messianism, which were now furnished with many added features.

The first solved the problem of the individual, namely, that of the suffering of the righteous and the prosperity of the wicked. It said: God is certainly just; He rewards the righteous and punishes the wicked, but neither the reward nor punishment is always carried out in this world, but in the world after death. It is there that justice is carried out in full. In a partial way, however, reward and punishment are also meted out in this world.

While the general solution of reward and punishment being relegated primarily to the hereafter was largely accepted by the great majority of the Jews during the Second Commonwealth—with the exception of the small Sadducean sect—<sup>5</sup> and became in later generations a cardinal belief of Judaism, there is no complete unanimity upon the form of the reward and punishment. First, there is a difference in views as to the length of time of punishment. The last verse in Isaiah LXVI reads: "And they (the righteous) shall go forth and look upon the carcasses of the men who have transgressed against Me; for their worm shall not die, neither shall their fire be quenched; and they shall be an abhorrence to all flesh." From this we may deduce that the punishment is to be eternal and of a physical nature, primarily by fire. However, the accepted

<sup>5</sup> The Sadducean conception of the soul and its destiny in the hereafter is not entirely clear, due to the lack of authentic records of their views. Consequently, various interpretations of that conception are given by different scholars.—See the author's view on the subject in "A History of Jewish Literature," Vol. I, 2nd ed. p. 501ff.



opinion, the verse notwithstanding, is that it is limited. A statement in the Mishnah says: "The judgment of the wicked in *Gehinom* (Hell) is limited to twelve months" (Mishnah Eduyot, Ch. I). Little is told of their fate afterwards. The common belief is that the souls after purification and punishment enter Paradise. Exceptions are made for two classes of grave sinners—one class, after the limit of punishment, suffer the complete annihilation of their souls, and the other suffer eternal punishment.<sup>6</sup> These, however, are individual statements of the School of Shammai and cannot be said to have full authoritative opinion.

As to the mode of punishment, we can see from the above statement in which *Gehinom* is mentioned, that the accepted opinion is that there are two places, *Gehinom* for punishment and *Gan Eden* for reward. The very names indicate the nature of the punishment and reward. *Gehinom* is named after a valley near Jerusalem where almost constant fires were burning on altars on which sacrifices were offered to idols, and consequently, the punishment is physical, by fire. *Gan Eden* is named after the first place of residence of Adam, which was a place of comfort and pleasantness, and signifies comfort and pleasantness. This belief, of course, gave free rein to the imagination and a whole literature, which had its beginning in the Apocryphal and Apocalyptic books, arose through the centuries which deals with various phases of the subject. Some of the books describe both the tortures in *Gehinom* and the pleasures in *Gan Eden* in great detail and in a colorful manner. The belief in the existence of two places was accepted, as is well known, by the two daughter-religions, which acceptance increased the literature manifold. The *Divina Commedia* by Dante is a fair specimen of the Christian mediaeval conception of these places.

However, this belief in the hereafter in its too realistic form, was not accepted by all Jewish religious leaders. There are statements in the Talmud which construe the reward in a spiritual manner, and we may deduce that those who made

<sup>6</sup> *Tosefta Sanhedrin*, Ch. XIII, 4, 5; *Rosh ha-Shanah*, p. 16.

such statements also understood the punishment in a spiritual manner. Maimonides is quite clear on the question of reward which, according to him, is a spiritual pleasure experienced by the soul after death, but not so on punishment. He does not take the *Gehinom* literally as a place where the wicked are punished by fire, but speaks at times of the annihilation of the soul as a punishment. However, this cannot be construed to mean actual destruction, for a soul cannot be annihilated. Other scholars, among them Nahmanides or Moses ben Nahman (1195-1270), who was more of a mystic than a rationalist, likewise interpreted reward and punishment in the hereafter in a spiritual manner.<sup>7</sup> In view of what has been said we can assert that while the belief in other-worldly reward and punishment belongs to the very warp and woof of Judaism, as expressed through the ages, there is latitude in the conception of their nature and character. Moreover, the doctrine of reward and punishment of the individual was complemented by the doctrine of reward and punishment for the group or the people, which, of course, also affects the individual. This brings us to the solution offered for the second phase of the problem, the national, namely, Messianism and the world to come.

## 51. THE MESSIAH AND THE MESSIANIC AGE

The Messiah idea is one of the fundamental aspects of Judaism and is as old as the institution of prophecy. There is hardly a Prophet of note who does not refer to it. It is inseparably integrated with the complex conception of Judaism on the relation of the Jewish people to God and on Israel's destiny in the world. It is also integrated with the question of reward and punishment of the people as a whole. It came directly or indirectly as an answer to the problem: Why does the righteous people which was elected by God Himself as

<sup>7</sup> Space does not allow us to enter into the details of the conception. The student, however, who desires further light on the subject should consult Maimonides' Commentary to the Mishnah, *Sanhedrin*, Ch. XI; also his Code, *Hilkot Teshubah*, Chaps. V-X; Nahmanides, *Shaar ha-Gemul*.

His own, suffer? The greater part of Jewish history, even during the First Commonwealth, passed in strife, attacks by enemies, and subjection to powerful neighbors. True, the Jews sinned, but the suffering outweighs the sins. Where then is the justice of God? The great Prophets, saturated with a deep sense of justice and righteousness and inspired by divine vision, gave the answer to the question. They pictured a glorious future for the Jews as a compensation for the bitter present. This glory did not consist to an Isaiah in physical strength, for it is this very strength which is the source of much evil in the world, but in spiritual and moral splendor.

Spiritual and moral exaltation, however, cannot be actualized in a world of peoples striving against and warring with each other, by one small people alone. Hence the prophetic vision that not only the Jews will rise to heights of the spirit but humanity as a whole. Consequently, Isaiah's vision of the abolition of war is a *conditio sine qua non* for the glorious period in human history of which Israel will form the center. This is the Messianic idea presented in its full brilliance for the first time in the early eschatological prophecy of Isaiah (Isaiah II, 1-4). But soon there entered a more personal element, namely, that of a personal Messiah. The same prophet once more envisions the glorious future, consisting primarily in a universal knowledge of God and a reign of peace, and even speaks symbolically of peace between animals, thereby implying a change in the law of nature (*ibid.* XI, 1-11).<sup>8</sup> He, however, adds an important feature, that of the personal Messiah, a scion of the House of David, who will preside over this remarkable period in the history of humanity. That the Messiah will not inaugurate a period of spiritual

<sup>8</sup> That the peace among animals is only a symbolic figure of speech was already pointed out by Maimonides, inasmuch as in verse 9 of this vision, the Prophet says: "They (the animals) shall not hurt nor destroy in all My holy mountain; for the earth shall be full of the knowledge of God as the waters cover the sea." The acquisition of the knowledge of God surely, says he, cannot be expected of the animals. Consequently, the animals spoken of by the Prophets are only symbols for mighty and weak nations (*Guide of the Perplexed*, Pt. III, Ch. XI).



glory only but also one of material good follows *eo ipso*, for human life will always be the same in its elemental features. The Messianic idea thus combined in the first period of its emergence two elements, material good and national glory, on the one hand, and the spiritual exaltation of Israel and all other nations, on the other hand.

Henceforth, in the development of the Messianic idea and the Messianic ideal there is an oscillation between the two elements. At times, the national good and glory are emphasized, and at other times, the spiritual glory and all that appertains to it. At no time, however, did Judaism during the prophetic period and even after it omit or even neglect either of the two. The best example is afforded in the second part of Isaiah, ascribed by scholars to an anonymous exilic prophet. At one time he says: "Behold, the darkness shall cover the earth, and gross darkness the people; but the Lord shall arise upon thee, and His glory shall be seen upon thee. And the Gentiles shall come to thy light and kings to the brightness of thy rising." But he supplements this immediately by the statement: "Then thou shalt see and be radiant and thine heart shall throb and be enlarged, because the abundance of the sea shall be converted unto thee and the wealth of the Gentiles shall come unto thee" (Isaiah LX, 2, 3, 5). He goes on to describe in detail the abundance of material wealth which will be showered upon Israel in the days of the future. But a little later (LXV, 17), he proclaims: "For behold, I create new heavens and a new earth, and the former shall not be remembered nor come into mind." And again, he follows this proclamation by a description of material good and length of life which shall take place in those days. Yet the words, "a new heaven and a new earth," injected a new note in the entire conception and were destined to call forth exciting thoughts and notions.

With the post-exilic restoration which was, on the whole, a small affair and created much disappointment, the question of the national Job, namely, why does Israel, the righteous people, suffer, became keen and demanded an answer. The



answer came through further glorification and deepening of the Messiah idea. The longer the Messiah tarried, the further the Messianic age was removed, the greater and the more glorious became the vision of both. Both elements, the national and the universal-spiritual, received accretions. A whole literature was developed around this solution, and with each book the idea was enlarged and increased in compass. Imagination was given free rein; the future became not only a period of national glory, but one of a complete change in the entire life of the world. Miracles became the order of the day and not the exception, for the very nature of the world was destined to change. Description of the wonderful "good time" in a material sense which will be had in the Messianic days abound in the Apocryphal and Apocalyptic books. In fact, they have their origin in the prophetic words. Do we not read in Isaiah LXV, 20: "There shall be no more an infant of days, nor an old man that hath not filled his days, for the child shall die an hundred years old, but the sinner being a hundred years old shall be accursed." Likewise did the universal spiritual elements expand and become intensified. The words of Isaiah quoted above, "Behold, I shall create a new heaven and a new earth," were taken literally, and suddenly there was injected in the world of spirit and thought the concepts of *Olam hazeh*, this world, and the *Olam ha-Ba*, the world to come.

With the entry of these concepts, new elements entered into the entire idea of the Messiah, which became complex. Some older ideas which had their roots in Prophetic teachings, such as the Day of Judgment (Isaiah II; Joel IV) and the Kingdom of God, received new content. They lost the national connotation. The Day of Judgment with the Prophets is either a day of judgment over the peoples which oppressed Israel or over Israel itself—only once in Isaiah II is it general, but even there the meaning is vague. But later it was understood to mean a judgment over all men which only the righteous and the saints shall escape. The Kingdom of God was no longer understood in the Prophetic sense—the spread of the

knowledge of God among all nations who lead a moral but natural life—but primarily in the sense of a society of saints in a world where evil will be no more. This conception is already found in the later part of the Book of Daniel where “people of the saints” undoubtedly refers to Israel, but even there it is used in a limited sense, for a whole people cannot be saints, and its larger part is thus excluded.

Another important element which entered into the concept of the new world, destined to make its appearance at the beginning of the Messianic period, is the belief in the resurrection of the dead which is to take place during that time. Resurrection of the dead is not unknown in the Bible. The miracle was performed once by Elijah and twice by his disciple, Elisha, once when the prophet was still alive, and another time when he was already dead.<sup>9</sup> Ezekiel (Ch. XXXVII) speaks of the restoration of Israel metaphorically as resurrection of the dead, and describes it in great detail, which shows that this idea was not totally strange to him. There are also other references in the Bible to resurrection. However, this idea belonged to the class of ideas which were inactive in life, but at this time it was itself “resurrected” and filled with content. In a way, the incorporation of resurrection in the complex of “the world to come” was a logical deduction from its fundamentals. If the new period and the new world are offered as a reward to the righteous, why should not the righteous of the past generations who have suffered not enjoy it? Resurrection follows then as a corollary.

The national element, though, struck deep roots into the consciousness of the people and could not be dismissed by the great majority of the people. Consequently, during a part of the Second Commonwealth period, attempts were made to retain both conceptions. The Messianic period is to precede the “world to come,” and at its end resurrection will take place, and then “the world to come” will begin. Opinions differ about the duration of the Messianic period.

All these views which arose and developed during the

<sup>9</sup> I Kings, Ch. XVII, 17-24; II Kings, Ch. IV, 32-37; XIII, 19-21.

period of the Second Commonwealth, while they were active and effective in life, never received during their formation any definite sanction by a fully authoritative body. The sanction came later, after the destruction of the Temple, when Judaism became more concrete and more crystallized in its views. Then the concept of the Messianic period, while retaining both elements, that of *Olam ha-Ba* and resurrection, which were even raised to the status of dogmas, once more regained its national character. The view in the Mishnah is that all Jews share in the world to come except one who denies the divine origin of the Torah or the doctrine of resurrection—saying it is not an original belief—and a heretic (Sanhedrin X, 1). Furthermore, according to semi-authoritative statements in the Talmud, the Messianic period proper will precede the world to come and the two thus become distinguished from each other. The belief in resurrection was then incorporated in the most important of the daily prayers—*Shemoneh Eshré*—and thus received additional sanction.

The sanction spoken of, however, refers only to fundamental concepts, namely, to the coming of the Messiah, *Olam ha-Ba*, and resurrection, but not to details. There is no authoritative opinion on the length of the days of the Messianic age and various lengths are given. Nor is it definite whether resurrection will precede or follow the days of the Messiah. Nor is the nature and character of *Olam ha-Ba* determined, for while miraculous phenomena in the future are frequently spoken of, it is not definite whether they belong to the days of the Messiah or to those of *Olam ha-Ba*. What is definitely connected with the Messianic age is the gathering of the Jews from exile and the restoration of the kingdom in Palestine. There is an opinion expressed by a famous Rabbi in the Talmud that the distinction of the days of the Messiah will consist only in the gathering of Israel to its own land and the restoration of the kingdom. The miraculous phenomena mentioned frequently in the Rabbinic literature as a part of daily life are then relegated to the world to come.<sup>10</sup> This opinion of the

<sup>10</sup> T.B. *Sabbath*, 63a *et alia*.



character of Messianic days is followed by Maimonides.

There is no authoritative description, as said, of the world to come, but on the whole, it is conceived in the Talmud as of a physical nature, namely, that man will enjoy physical good.<sup>11</sup> However, the purely spiritual nature of that world spoken of in some Apocalyptic books is not entirely unknown in the Talmud. Rab, the founder of the great Academy of Sura, expresses that opinion. Maimonides follows his view. Unfortunately, Maimonides is not entirely clear on the term *Olam ha-Ba*, whether he refers to the hereafter or to the world to come.<sup>12</sup>

Disregarding all Agadic embellishments we can say that the beliefs in the coming of the Messiah, a scion of David, who will gather the Jews from exile and restore them to Palestine, in the resurrection, and in *Olam ha-Ba*, became cardinal principles and dogmas in Judaism. Some mediaeval dogmatists, though, relegated them to a second class of dogmas. Notwithstanding this relegation, the influence of these beliefs upon life, especially the belief in the coming of the Messiah, was tremendously great, even greater than some of the dogmas which are considered by all as fundamental. It can be said that the belief in the Messiah was a leading factor in the survival of the Jewish people in spite of the numerous persecutions.

<sup>11</sup> T.B. *Sanhedrin*, 92a; *Ketubot* 112.

<sup>12</sup> T.B. *Berakot*, 17; *Mishnah Torah*, *Hilkot Teshubah*.

## CHAPTER VIII

### ETHICAL AND SOCIAL IDEALS

#### 52. TESHUBAH (Repentance)

To the contributions which Judaism made towards the spiritual advance of humanity in general and that of the other great religions in particular belongs also the concept of *Teshubah* or repentance. This does not mean that pagan religions did not know of the importance of atonement for wrong acts committed, or of prayers of supplication to the gods for forgiveness of sins which contained promises for better behavior in the future. But such regrets were mainly external and were primarily expressed by means of a sacrifice intended to propitiate the gods. Repentance as a state of the soul, as a complete change of heart and a renewal of personality is entirely a gift of Judaism. It occupies an exceptionally important place in the Bible. Time and again, prophet after prophet calls his people to repent and thus escape the pending doom decreed for them by God as punishment for their sins. They also emphasize its inner nature, that it must be a change of heart and not demonstrated by external signs only. "Turn ye even to me with all your heart," says Joel. This is the primary condition. It is, of course, accompanied also by visible signs, for he continues, "and with fasting, weeping, and mourning." These actions, however, should not be considered of primary importance, and he calls again: "Rend your hearts and not your garments" (Joel II, 12, 13). Ezekiel has a number of prophecies in which he repeatedly stresses the value of repentance as the only means of avoiding punishment and summarizes its character in the phrase, "and make ye a new heart and a new spirit, for why should ye die, O

House of Israel" (Ezekiel XVIII, 31). That repentance is a divine gift to all humanity is taught by the Book of Jonah, where Jonah is sent to Nineveh, the Assyrian capital, to call for repentance in order to avert the decreed doom. And when his call was heard it was averted.

Repentance, according to the Bible, is efficacious no matter how grave the sin may be, as exemplified in the case of Menasseh, King of Judah, who committed numerous sins and was as a punishment captured by the Assyrians. But when he repented and called upon God, he was released and returned to his kingdom (2 Chronicles, XXXIII, 10-14). The later Agada embellished this act by telling us that the angels, knowing the depth of Menasseh's sins, wanted to prevent the acceptance of his repentance by closing all entries to his cries before the throne. But God, in order to show an example to repentants, opened a channel beneath the throne and accepted it.<sup>1</sup>

In later days, repentance assumed an exceptionally important role in Judaism. Numerous passages in Talmudic and Midrashic literature extol the value of *Teshubah* to a very high degree. One statement says: "In the place (i.e., spiritual degree) where repentants stand, not even the very righteous can stand."<sup>2</sup> Another Midrashic statement counts *Teshubah* as one of the seven things which were created before the world itself was created.<sup>3</sup> In view of the fact that repentance is only a matter of thought and feeling in the hearts of men and has no existence per se, the statement can only mean that it is to be considered as a final cause which was in the mind of the Creator before He proceeded to creation. In other words, were repentance unattainable by man, the creation of the world would not have been worth while. However, notwithstanding the great value which *Teshubah* possesses, it has

<sup>1</sup> Jerusalem Talmud, *Sanhedrin*, Ch. XI.

<sup>2</sup> *Berakot*, 34. Maimonides expressed a somewhat different opinion on the matter and believes that one who has purified his soul to such a degree that he does not desire to commit evil is really on a higher status than the repentant (*Eight Chapters*, Ch. I), but in his *Code* he follows the Talmudic opinion.

<sup>3</sup> *Genesis Rabba*, 1, 4.



certain limitations. According to the Mishnah,<sup>4</sup> *Teshubah* results in immediate forgiveness only for sins for which punishment by court is flagellation. In case of graver sins, repentance supplements the Day of Atonement to procure forgiveness. For the forgiveness of very grave sins for which the legal penalty is death, a third factor is necessary, namely bodily suffering which comes through providence as punishment.<sup>5</sup>

*Teshubah*, as an instrument for forgiveness, is effective only for sins of a purely religious or ceremonial nature, but if the acts involve an injury to a fellow-man in any way, the injured person must first be satisfied. If it was a matter of damages to property, it must be made good, and if the injury was of a personal nature, such as insult or slander, the forgiveness of the injured party must be procured. The primary condition of *Teshubah* is, as stated, a complete change of heart, a condition which is often described in books on morality as follows: Regret for past actions and a resolve never to commit such acts in the future no matter how great the temptation or the compulsion may be, as long as it does not involve loss of life. But in view of the fact that every change in human life must have external expression, it is usually accomplished by confession, not publicly, and supplication for forgiveness.

Confession as such as an instrument for forgiveness or at regular intervals before a religious representative, as in other religions, is not known in Judaism. Nor is anybody empowered to remit sins except God Himself. Public confession is only recited on the Day of Atonement. This, however, is a standardized formula and the catalogue of sins is too general and too long for any one person to have committed during his life time. A formula of confession is also recited, if conditions permit, before death, primarily as an indication of the sick man's repentance, but not necessarily as a means of forgiveness. Standard Judaism knows no infliction of self-torture as a form of repentance except fasting. Mediaeval pietists and

<sup>4</sup> *Yoma*, 86.

<sup>5</sup> *Ibid.*

followers of mystical trends, however, introduced such measures and even elaborated a scale of such infliction to correspond with the gravity of the sins. This is sometimes called *Teshubot ha-Mishkal* (The Balance of the Scale of Repentance), but such actions were hardly practiced except by the extremely pious.

### 53. TORAH

Of all the fundamental conceptions of Judaism, that of Torah is of the most unique character and can be considered of a *sui generis* nature, hardly paralleled in any other religion, past or present. The term itself originally meant teaching and was applied to any kind of instruction whether religious, moral, or merely practical. A verse in Proverbs says: "My son, hear the instruction of thy father, and do not forsake the Torah (teaching) of thy mother" (Proverbs I, 8). Here Torah evidently refers to the practical teaching of the mother. In the sense of teaching it is used many times in the Bible. Later, however, it became more and more restricted to the Pentateuch, sometimes with the addition of the name of Moses as *Torat Moshe*, and as such Torah is usually translated, the Law. Around the middle of the Second Commonwealth period the term was expanded to include also all interpretations and explanations of the various precepts which formed a part of the Oral Law. In the first Mishnah in the tractate of *Abot* which hails from early times, we read: "Moses received the Torah from Sinai and handed it to Joshua; Joshua (handed it down) to the Elders, the Elders to the Prophets; and the Prophets to the men of the Great Assembly." In this statement the term Torah includes the Oral Law, for it is the Elders, the Prophets, and the men of the Great Assembly who were the guardians of the Oral Law, while the Pentateuch was in the hands of all the people. In later literature two terms are used, *Torah she-Biktab*, the written Torah or the Pentateuch, and *Torah she-Beal Peh*, Oral Law. But, as a rule, both parts coalesced into one and were denoted by the

same term Torah, as evident in this very Mishnah which includes the Oral Law under the same term.

However, the words "Moses received the Torah from Sinai" were understood not in the literal sense that the Torah as a book was in heaven and was delivered to Moses in that form, but that all the commandments, precepts, and even the historical portions were communicated to him by God in the highest form of prophecy, for his prophecy was *sui generis*, different in kind from those of all other prophets. This view was exalted into fundamental dogma by the Mishnah in another place.<sup>6</sup> This dogma is technically named *Torah min ha-Shamayyim*, literally Torah from heaven, i.e., given to Moses by divine inspiration or communication. Maimonides expanded this dogma into two. The first states that the entire Torah which we possess was given to Moses on Sinai. The second asserts that the Torah with all its precepts is immutable. Other dogmatists differed with him in the form of expression of this dogma but agreed in the veracity of the fact that the Torah is divine. The dogma refers primarily to the written Torah. As for the Oral Law, though the belief is general that a large part of it is Sinaitic, and consequently its directions as to the manner in which the precepts mentioned in the Pentateuch are to be performed are considered Biblical—yet there is no definite authoritative view that the belief in the Sinaitic origin of the Law is a dogma (*Ikkar*).

The role of the Torah as the principal expression of the Jewish national spirit, due to the vicissitudes of life, gradually increased, and its value constantly rose higher and higher until it came to be considered a cosmic power. Such a conception is not paralleled in any other religion or in the culture of any other nation, and can only be compared to the Platonic idea of the Good. Numerous statements through the Talmudic literature of earlier and later periods testify to this exceptionally exalted conception. It is, of course, counted in the Midrash among the few things which were created before the world and which dictum means that it served as a final

<sup>6</sup> T.B. *Sanhedrin* XI, 1.



cause and purpose of creation. But its role is even more distinguished than that of the other things, for according to another statement, noted above (p. 140), the world was created with an expressed condition, namely that if the Jews will accept the Torah, then it shall continue in existence, but if not, it shall return to chaos.<sup>7</sup> The meaning of the statement is clear; the continuation of the existence of the world is valueless unless there is Torah, i.e., religion, morality, and ethical social life. However, a still higher role was assigned to it, namely, that it served as a pattern and blueprint to the Creator in the creation of the world.<sup>8</sup>

With this conception as a fundamental element in the Jewish view of life and the world there is small wonder that the study of the Torah, in the broad sense of the word, became the principal occupation in the spiritual life of the nation and the most potent factor in its survival in spite of all suffering. The Jews are usually called the People of the Book, an appellation which arose from an erroneous interpretation of the words of Mohammed who used this epithet merely to describe the peoples who had a written book containing the principles of their religion. The real title of the Jews should be "people of study." With the destruction of political independence, study became the center of Jewish life to such a degree that it can veritably be said that the Torah through the ages was the portable spiritual fatherland of the Jews. The place of study in Jewish life during the last two thousand years can hardly be estimated. It was the occupation of young and old of all classes and stations in society, and the ideal of the great masses.

Study was not a mere instrument or means of ascertaining the proper way of performing precepts—though it followed from it—but an aim in itself, a self-expression and a goal. At an early conference of Jewish scholars in Lydda, Palestine, which took place in the middle of the 2nd century C. E., the question arose, which is greater in value, study or observation

<sup>7</sup> Talmud Babli, Tr. *Sabbath*, 88b.

<sup>8</sup> *Genesis Rabba*, Ch. I.

of religious precepts, and after some discussion, it was decided that study is more valuable, for study will also result in piety and observance, while the latter, no matter how punctilious, will never be perfect.<sup>9</sup> In fact, it is definitely stated in *Abot*<sup>10</sup> that an ignorant man, no matter how much effort he spends in the observance of the religious precepts, can never be called truly pious. And another Mishnah, after enumerating the most important religious and ethical practices, such as that for which man receives both great reward in this world (only as interest) and many times more in the world to come (as the inexhaustible principal) states: "But the reward of the study of the Torah is as great as that of all of them."<sup>11</sup>

It followed from such a concept that study raised a man to the highest position, no matter how low his descent might be. It is therefore stated that a scholar, though he be of illegitimate birth (*Mamzer*), takes precedence over an ignorant high priest. Consequently, much space is given in Talmudic literature to the exaltation of study. A whole chapter in the tractate *Abot* (Ch. VI) is devoted to this subject in which the study of the Torah and the acquisition of learning are described in the most glowing terms. Torah is, according to its statement, higher and more important than priesthood and kingship, and was first in God's plan of creation. It further enumerates forty-eight steps by which real learning is acquired which, if really followed, make the learned ideal types of men.

The road of the Torah is not an easy one. Among the forty-eight steps mentioned above, satisfaction with very little of worldly goods and still less of pleasure are included. It is a stern taskmaster; it requires continuous pursuit, for it is said in the name of the Torah: "If you forsake me for one day, I will forsake you for two"<sup>12</sup>; and furthermore, if one separates himself from it, he loses his life, i.e., the life of the spirit which is the only one worth pursuing.

<sup>9</sup> T.B. *Kiddushin*, 40.

<sup>10</sup> Ibid. Ch. II, 6.

<sup>11</sup> *Peah*, Ch. I, 1.

<sup>12</sup> Palestinian Talmud, end of *Berakot*.

The result of such a view was that the position of the scholar—called *Talmid Hakam* (a wise disciple) and not *Hakam* (wise man) which name signifies that one is always a disciple—in Jewish life was of exceptional importance. However, *noblesse oblige*, he had not only privileges but also numerous duties. His whole conduct as a model in many ways of life, at home, in the market-place, in social relations, and even in dress is minutely described. All these ideas gradually impressed themselves upon the masses and moulded the life of the people for centuries. And at least up to the middle of the last century, the scholar, or better still, the man of Jewish learning, was the Jewish ideal social type who served as a center of imitation to all classes. Jews prayed daily and on special festivals that God open the hearts of their children to love the Torah, and parents exerted all their efforts to have their sons learned even if they themselves did not possess much learning. Simple untutored mothers prayed in the vernacular—mostly in Yiddish—at the time they lighted the candles on the Sabbath eve not for riches for their children, though they were desperately poor, but for learning.

It is this set of complex ideas, views, and feelings peculiar to Judaism, integrated with the life of the people in numerous ways, which acted as a potent factor in the survival of the Jews. It may, under the force of circumstances, be changed and modified to a large degree, but it can never be abolished or emptied entirely of its content—for then Judaism itself may lose its force and vitality.

#### 54. PEACE

Peace, as we have seen above, is a distinct contribution of Judaism to civilized humanity. It was Isaiah who, in a world of strife where war was the order of the day and the most natural phenomenon, envisioned a condition of human life where swords and spears would be beaten into plough-shares and into pruning-knives. Again, he returns to his subject in his second Messianic vision (Ch. XI) and extends peace sym-



bolically to the animal kingdom. Peace, as an ideal which must be realized in life, runs through the entire Bible like a red thread. Prophet after Prophet emphasizes the blessing of peace. Micah repeats the words of Isaiah about the "end of days." Jeremiah, chastising his people, threatens them with the direst punishment by saying: "Thus saith the Lord, 'Enter not into the house of mourning, neither go to lament nor to bemoan them, for I have taken away my peace from them, even loving kindness and mercies'" (XVI, 5). Similarly, Haggai, when comforting his people, says: "The glory of this latter house shall be greater than that of the former, saith the Lord of Hosts. And in this place will I give peace, saith the Lord" (II, 9). In this vein speaks Zachariah when, visioning the coming of the Messiah, he emphasizes the Messiah's most important characteristic to be "that he shall speak peace unto the nations" (IX, 10). The Psalmist sings: "The mountains shall bring peace to the people and the little hills, by righteousness." Again, "In his days (those of the righteous king) shall the righteous flourish and abundance of peace as long as the moon endureth" (Psalms LXXII, 3, 7).

Peace as an ideal state of social life will undoubtedly come in the future, for otherwise that life is valueless, but there are definite conditions for its realization. The primary condition is the spread of the knowledge of God in the full sense of the term. Isaiah, the first to visualize the glorious vision of universal peace, emphasizes twice its dependence upon that condition. In his prophecy of the "end of days" he says that only when the nations will come to the House of the God of Israel and plead for instruction and receive it, only then will they break their swords and spears into peaceful instruments. Again, in his second Messianic vision (Ch. XI), after picturing the future complete state of peace in the world, he offers the reason for this completeness in the words, "for the earth shall be full of the knowledge of the Lord as the waters over the sea." Knowledge of God spoken of by Isaiah is the general condition and it includes a number of subordinate ones, prominent among which are justice and righteousness. When the

Psalmist sings of the time when the very mountains will bring peace, he concludes that this can only take place when righteousness will grow on the hills. Another singer of Israel chants: "Mercy and truth are met together, righteousness and peace have kissed each other" (Psalms LXXXV, 11). Thus did the prophets and psalmists of Judaism conceive the realization of peace among nations, namely that it will come when men will undergo a complete change of heart.

It cannot be otherwise, for war to the lawgiver, prophets, and historians was only a result of the evil passions of the human heart and the failure of man to live up to the laws of God. The chronicler, in describing King Asa's religious reformation and his abolishing all idolatry in Judah, prefaces it by the speech of the Prophet Azariah, the son of Oded, who said to the king: "Now for a long season Israel hath been without the true God and without a teaching priest and without law. And in those times there was no peace to him that went out, nor to him that came in, but great vexations were upon all the inhabitants of the countries" (II Chronicles, Ch. XV, 3, 5). The Torah correctly recognizes covetousness and greed as the principal causes of war and strife when it promises the children of Israel: "Neither shall any man covet thy land when thou goest up three times a year before the Lord, thy God" (Exodus XXXIV, 24). It is not only a reward for the observance of a precept, but implies the belief that man can overcome his evil inclination and abstain from coveting his neighbor's property. Only then when he will learn to restrain his passions will peace reign in the world.

Moreover, peace is, according to the Talmudists, the goal of the entire Torah for the realization of which it was given, as it is stated: "Her ways are ways of pleasantness, and all her paths are peace" (Proverbs III, 17).<sup>13</sup>

Again, say the Rabbis: "The Torah urges us to pursue peace even more than the performance of the precepts, as it is said,

<sup>13</sup> Tr. *Gittin*, 59b. The verse speaks of wisdom but the teachers of the Talmud always identified the wisdom spoken of in the Book of Proverbs with the Torah.

'Seek peace and pursue it' (Psalm XXXIV, 15) meaning seek it in your own place and pursue it in other places. Hence the children of Israel pursued it even with their enemies."<sup>14</sup> Even the destruction of the enemies of Israel, though at times necessary, is yet bewailed by the Agadists who tell us that on the night when the Egyptians were drowned in the Red Sea the angels were prevented by God from singing His praises, for He said: "My handiwork drown in the sea, and ye want to sing before Me."<sup>15</sup>

Later Talmudic Judaism continued in the same strain and even expanded and widened the conception of peace to include all phases, those of smaller social units as well as of larger ones. The Mishnah emphasizes the value of peace a number of times. It says: "Three things sustain the existence of the world—justice, truth and peace" (Abot I, 17). By the *world* is meant, of course, the human world, and as with the Prophets and the Psalmists, the three elements go together. Peace is placed as the last pillar, for it cannot arise unless the two former precede it. The closing statement of the entire Mishnah reads: "God did not bestow any greater blessing upon Israel than peace, for it is written, 'The Lord will give strength to His people, the Lord will bless His people with peace!'"<sup>16</sup> Another statement reads: "Peace is great, for all blessings are included in it."<sup>17</sup> Furthermore, in the judgment of these scholars, peace is of the greatest importance for the life of a people, for no matter what faults the people may possess, as long as there is unity of effort and peace, it will overcome all handicaps. This thought is expressed in a Midrashic statement: "Said Rabbi Judah the Prince, 'Great is the effect of peace upon the life of a people, for even when Israel worshipped idols, as long as peace reigned among them God did not punish them, for it is said, Ephraim is joined to idols, let him alone'" (Hosea XIV, 17).<sup>18</sup> The verse is interpreted

<sup>14</sup> Midrash, *Numeri Rabba* Ch. XIX, 27.

<sup>15</sup> Tr. *Sanhedrin*, 39b.

<sup>16</sup> Tr. *Okzin*, III, 12.

<sup>17</sup> Leviticus R. Ch. IX.

<sup>18</sup> *Genesis Rabba* Ch. XXXVIII.



to mean that though Ephraim is worshipping idols, as long as he is "joined" together, God will overlook his sins and not punish him.

Great stress is also laid by Judaism upon peace in smaller social units, such as the family. Numerous statements extol its importance. Says the *Mekilta*: "If a man exerts himself in maintaining peace in the family life of his friend and prevents its disruption, he is promised that he himself will never suffer any grief in his own life."<sup>19</sup> Stories are related of great scholars who suffered grave personal insults at the hands of wicked husbands in their efforts to effect reconciliation between them and their wives. Similarly, many legal enactments and religious customs have their basis in the desire to realize peace in social life. One of the important functions of the scholar is, according to the Rabbis, to increase peace in the world, and the first act of the Messiah will be to declare peace, as it is said: "How beautiful upon the mountains are the feet of one who bringeth tidings and declareth peace" (Isaiah LII, 7), which is understood by the Rabbis to refer to the Messiah.<sup>20</sup>

A prayer for peace forms one of the benedictions of the *Amidah* and is recited by every pious Jew three times daily. The desire for peace in the daily routine of the life of society and the hope for its universal reign in the future form fundamental traits of Judaism inculcated by its teachings and integrated in all its aspects and phases.

## 55. LABOR

There is hardly a religion which has placed so high a value on labor as Judaism. All through the Bible, whenever the occasion occurs, labor is exalted and praised. The Psalmist says: "For thou shalt eat the labor of thy hands, thou shalt be happy; and it shall be well with thee" (Psalms CXXVIII, 2). In the Book of Proverbs the industrious man who attends to his work

<sup>19</sup> *Mekilta*, Section on *Jethro*.

<sup>20</sup> *Leviticus Rabba*, Ch. LX.

is pointed out as the man whose conduct is to be imitated, while the lazy man who shirks work is continually deprecated. Labor, according to the Book, leads not only to material success, but to personal dignity, for, "Seest thou a man diligent in his labor, he shall stand before kings and shall not stand before mean men" (Proverbs XXII, 29). On the other hand, "He that is slothful in his work is a brother to him that is a great waster" (ibid. XVIII, 9).

The Talmud speaks of labor in still more glowing terms. The Mishnah in *Abot* (1, 10) says: "Love labor and hate mastering others." Several great scholars, on their way to the Academy, carried their tools and would say: "Labor is great for it honors the man who performs it."<sup>21</sup> Another Mishnaic statement says: "Just as the Sabbath was commanded to the Jews at the Sinai Covenant, so was labor enjoined in that Covenant, for it is said: 'Six days shalt thou work and perform all thy labor and on the seventh day shalt thou rest.'"<sup>22</sup> In other words, the Rabbis equate labor with the Sabbath, and consider work on the six days of the week a divine injunction just as rest on the seventh. Still another statement raises labor even higher than the merit of the fathers, meaning that a man should not rely on the prestige of his ancestors and go idle, but should rather engage in useful labor and consider it of high merit.<sup>23</sup> Such being the views of Judaism, small wonder then that the Jews, contrary to current opinion, were a people of laborers during more than two thirds of their history. In their own land as well as in several settlements in the Diaspora they were primarily engaged in agriculture. But wherever that was not possible, as e.g., Alexandria and Rome, they engaged in trade. It was only during the Mediaeval Ages, when laws of discrimination were enacted against them, that Jews were forced out of many kinds of labor and pushed into commerce or into finance. Yet even in those times and during the modern period in the large Jewish settlements

<sup>21</sup> T.B. *Nedarim*, 49.

<sup>22</sup> *Abot di Rabbi Nathan*, Ch. XI.

<sup>23</sup> *Genesis Rabba* Ch. LXXIV, 12.

in Eastern Europe the masses engaged to a very large extent in all kinds of labor.

If labor is exalted, it follows that the interest of the laborer must be protected. Accordingly, the Pentateuch twice repeats injunctions regarding the wages of the hired laborer—that he must be paid in the proper time without delay. It says: “The wage of one that is hired shall not abide with thee all night until morning” (Leviticus XIX, 13); and again: “Thou shalt not oppress a hired servant that is poor and needy whether he be of thy brethren or strangers that are in thy land within thy gates. At his day shalt thou give him his hire, neither shall the sun go down on it, for he is poor and setteth his heart upon it, lest he cry against thee unto the Lord and it be sin unto thee” (Deuteronomy XXIV, 14). The Rabbis, in interpreting the statements regarding the speedy payment of wages, noted the change of terminology in the two verses. In the former it says the night must not pass before payment, while in the latter, the limit is sundown. They explained that they refer to two types of laborers. The one who works by the day must be paid before sunrise of the following morning, while one who works at night, must be paid by sunset on that day. In either case, if the limit is transgressed, the employer is guilty of transgressing a prohibitive precept which is a grave offense. The same limit is fixed for laborers who hire themselves out for longer periods—a week, a month, or even a year. No more than twelve hours should pass after they finish their term before they receive their payment.<sup>24</sup> The hired laborer is also given the privilege of eating the fruit of the land on which he is working during the time of his work so that he should not suffer any pangs of pain at not being able to satisfy his natural desire for tasting the fruit he is handling. The law is Biblical, but later interpreters expanded it to apply to many cases. Likewise did Jewish law evolve regulations covering the question of wages and the right of stoppage of work under different conditions. While the question of wages is usually settled by agreement between em-

<sup>24</sup> T. B. *Baba Metzia*, p. 110b (Mishnah).



ployer and employee, the law recognizes a certain standard fixed by custom of the conditions of labor, as for instance, if the number of hours of labor for the day is fixed, no employer can demand of his laborers longer hours even if he offers them higher wages.<sup>25</sup>

In regard to the right of stopping the work after it has begun, the law favors the laborer and allows him to change his mind even in the midst of his labor without loss. For instance, if a laborer hired himself out for the day at the wage of four dollars per day and he stopped work in midday, he is paid two dollars even if the employer will have to pay a higher wage for the work undone. On the other hand, if wages fall and the work can be finished for a dollar, the laborer gets three dollars. This law is subject to certain limitations and modifications, but the rule in general is that the laborer has the upper hand.<sup>26</sup>

Again, if the employer has no work and fails to inform the laborers beforehand, he must nonetheless, if they come to work, pay them wages for the entire day at a lower rate.<sup>27</sup> The rate in such cases is the rate the laborer would accept for a day on condition that he be at leisure. These privileges are given only to the laborer hired by the day, the week, or the month, but when one has contracted to manufacture certain articles or perform a definite amount of labor on a project until it is completed, he can also change his mind, but he has to pay whatever damage was incurred by his act. For example, if prices for labor rise and in consequence the unfinished work will cost more than originally anticipated, he must compensate his employer for the difference in labor cost so that the latter will not suffer loss by reason of his defection.<sup>28</sup> From all this it is evident that Judaism in its legal phase was careful to guard the rights of the laborer and preserve his dignity and position. It has even gone to such lengths as to prohibit a

<sup>25</sup> Ibid. p. 83a (Mishnah).

<sup>26</sup> Ibid. p. 77b.

<sup>27</sup> Ibid. 76b. *Hoshen Mishpat*, Sec. 333, 1.

<sup>28</sup> Ibid. sec. 333, 4.

Jew from hiring himself out to another Jew for a period of more than three years. In this case the opinion is given that it appears as if he assumes the status of a servant—the usual period of one who sells himself as a servant was six years; more than half of that term would give that status—and Jews ought to be free for they are the servants only of God.<sup>29</sup>

<sup>29</sup> Ibid. sec. 333, 3.

## GLOSSARY

### 1. ORAL LAW

The term *Oral Law* employed many times in this book is a wide one. It embraces numerous laws, statutes, traditions, customs, and usages, as well as ordinances, enacted by bodies of scholars in early times, which became a part of the Jewish religion. However, the greater part of this law bears, as stated above (p. 169), the nature of both a supplement of the written law and an unfolding of its meaning. The laws of the Pentateuch are, on the whole, stated in too general a manner. To carry them out in practice and in their full meaning they needed much interpretation. As mentioned, Jewish tradition asserts that a supplementary law which contains to a great extent interpretations of the written law was given to Moses on Sinai and he handed it down to future generations.

Little is known about the fate of the supplementary or Oral Law during the First Commonwealth, but on the return from the Babylonian exile, an activity of interpretation of the written law bloomed forth in full glory. Old explanations were revived, new ones added, and the legal portions of the Book of Moses were scrutinized carefully, and each law was unfolded to its full capacity. This activity went on for generations and was carried on orally. That the number of laws and regulations was considerably increased goes without saying. While according to a statement in the Talmud,<sup>1</sup> the Pentateuch contains only 613 precepts, the number is several times that amount if we should count the particulars stemming from each precept and unfolded by interpretation. We must not forget that Judaism embraces not only such laws of a purely religious nature, but all social, civil, and criminal laws

<sup>1</sup> Tr. *Makkot*, 23b.



as well. The method of interpretation was called *Midrash*, i.e., search and investigation of the Mosaic text. Besides, as mentioned, life and history often called forth the necessity of new enactments either to meet exigencies or as fences around the law, or even to establish new institutions, as for example, the semi-festivals of Hanukkah and Purim. Such enactments are called Rabbinic precepts or regulations. The number of such precepts is small, only seven, but regulations and "fences" are numerous.

This activity which went on for generations, first by *Soferim* (scribes), then by scholars who bore the name *Zugot* (Pairs), inasmuch as each pair headed the High Court known as *Sanhedrin*, resulted in two currents of intellectual productivity, *Halakah* and *Agada*.

## 2. HALAKAH

The term *Halakah* is used in two ways, as a wide connotation of all laws and regulations which relate to various phases of life resulting from the activity of the bearers of the Oral Law and tradition, and also as a name for a single statement embodying a law, or a regulation, or an ordinance abstracted from the interpretation of the original source in the Pentateuch or from the discussion of the motive for the ordinance. The meaning of the word seems to be derived from the Hebrew root, *Halak*, i.e., to go, namely a rule of conduct which the people should follow.

## 3. AGADA

*Agada* is a general name for a diversified mass of Jewish teachings aiming to supplement those of the *Halakah*. It embraces views, opinions, and ethical maxims touching both on the life of the individual and that of the nation in all their phases, as well as ancillary subjects. Much of this mass of teachings was derived, like the *Halakah*, by interpretation of Biblical verses, and for this purpose all the books of the Bible,

and not only the Pentateuch, were utilized. The method of interpretation was the same as that of the *Halakah*, namely *Midrash*. The verses were searched and analyzed, and whatever pertained to ethics, theology, history of the people in the past, its destiny and hopes for the future, was extracted and used in instruction. In time much extraneous matter of heterogeneous character was absorbed and included in that current. The word is derived from the Hebrew root *Nagad* which in its *Hiphil* (causative) form means to say, or impart instruction. The Hebrew form of the word is *Hagadah* and the Aramaic form which is more commonly used is *Agada*.

#### 4. MISHNAH

All this mass of teachings of both phases was carried on for centuries orally and not in an organized and systematized way. But the time came for systematization and organization, a task which was undertaken by generations of scholars and which resulted in various works of a collective nature. The most important of these works was the Mishnah. It is in reality a work of generations, for some of its layers hail from times preceding the destruction of the Temple, and it also includes parts of collections made by such leading *Tannaim* as Akiba and Meir. The final redaction of the Mishnah, however, which became the standard one, was undertaken by Judah the Prince, head of the Sanhedrin in Palestine, around the year 210 C. E. His purpose was to organize and systematize the thousands of statements, primarily of an Halakic nature, into a definite order and give them an authoritative character. It consists of six orders (*Sedarim*) as follows: (1) *Zeraim*, i.e., seeds, dealing with all laws, precepts relating to agriculture and to plants and fruits. It includes also a treatise on prayer and benedictions as an introduction to the work as a whole, for it is God who supervises the life and labor of man. (2) *Moed*, i.e., festivals, containing all laws pertaining to the Sabbath and the holidays. (3) *Nashim*, i.e., women, covering all laws

and regulations concerning family life and some ancillary subjects. (4) *Nezikin*, i.e., damages, dealing with civil and criminal laws in all phases and ramifications. (5) *Kadashim*, i.e., holy things, comprising laws and regulations regarding the Temple service, sacrifices, including dietary laws. (6) *Taharot*, i.e., matters of purity, including all laws of purity and impurity.

Each Order is divided into tractates (called *Masseket*, literally a web, hence a text), each dealing with a phase of the general subject of the Order. There are sixty-three in all. The tractates are subdivided into chapters, and the chapters into sections, each called a *Mishnah* or *Halakah*. The *Mishnah* contains, as stated, mainly Halakic matter, but a small portion of *Agada* is also included. There is one tractate, *Abot* or "The Sayings of the Fathers," devoted entirely to the teaching of ethics and proper conduct. Besides, there is a number of *Mishnot* or statements scattered through the collection which inculcate the principles of Judaism, and indicate the sanctity of certain institutions, or preserve records of historical events and of ancient customs.

The name *Mishnah* is derived from the root *Shano*, which originally means to repeat, and later signified to study. It came to be used as a general term to designate the activity of scholars in its various phases and ultimately for the great collection, the result of this activity.

## 5. TANNAIM

Since *Tné* is the Aramaic form of the verb *Shanah*, the name *Tanna* (plural *Tannaim*) was given to the several generations of scholars whose statements or discussions are given in the *Mishnah*. The period of the activity of these scholars lasted about 250 years, from the time of Hillel, ca. 30 B. C. E., to Judah the Prince. The name is limited to scholars of these generations. The earlier bearers of the Oral Law were called by other appellations. (See art. Oral Law.)



## 6. THE TALMUD

The Talmud includes both the Mishnah and the long commentary upon it which exceeds many times the quantity of the Mishnah, and which is known by the name of *Gemara*. The term is derived from an Aramaic root *Gmar*, to learn or to study. The Mishnah in itself is not entirely explicit in many places, nor does it always offer a decision indicating which of the several opinions it quotes is the adopted one. In addition, there are also at times statements which either contradict or oppose statements on the same subjects in other Tannaitic collections (see below). All these matters had to be straightened out, explained, and clarified. This work was undertaken by schools of scholars, both in Palestine and Babylonia, whose activity lasted for several generations. These schools did not always consider the statements of the Mishnah sufficient and, in order to make the Oral Law as well as the views and general teachings of Judaism adaptable to life and its conditions, added much of their own in matters of *Halakah* and *Agada*, and as a result, the *Gemara* was expanded to thousands of pages.

As the activity of the expounders was carried on in both Palestine and Babylonia, we consequently have two Talmuds or Talmudim, the Palestinian or Jerusalem Talmud (*Yerushalmi*) and the Babylonian or Talmud Babli, which differ from each other in character. The difference, of course, is limited to the *Gemara*, but the Mishnah is the same in both.

The redaction of the Babylonian Talmud was undertaken by Ashi, the son of Shimi (352–427), head of the Academy of Sura. He was engaged in the work for a period of close to thirty years. At his death, the Talmud was left almost complete, but there were, however, a number of lacunae, both in matter and in form. These were filled by the scholars who followed him, chief among whom were his son, Tabumi, and Rabina, the son of Huna. Upon the death of the latter in the

year 499, the Talmud was complete, and in the following year (500) his successor José closed it officially.

The redactor of the Palestinian Talmud cannot be identified definitely. It might have had several editors, but it is accepted by scholars that this Talmud was closed or redacted around the year 425 C. E. The stress of the times and persecution which the Jews of that country underwent made its redaction a matter of necessity. These conditions are reflected both in its content and form, inasmuch as its *Gemara* is shorter and the organization of the material is less systematic than that of the Babylonian.

Originally there must have been *Gemara* on each tractate of the sixty-three of the Mishnah, but due to various reasons, we possess only *Gemara* on thirty-seven tractates of the Babylonian Talmud and on thirty-nine of the Palestinian.

## 7. AMORAIM

The name *Amoraim* is given to the scholars of the generations succeeding the redaction of the Mishnah, whose statements and discussions make up the content of the *Gemara*.

## 8. MIDRASHIM (Tannaitic)

As stated above, the method which was used by the early interpreters of the texts of all the Biblical books, Pentateuch and others, was called *Midrash*, i.e., search and investigation. It was applied in a very broad way for *Halakah* as well as for *Agada*. The result was a large number of motivated statements, namely, the Biblical basis was given for the legal deduction, or the ethical, religious, or historical teachings.

This way of study received an impetus from the time of Hillel and continued along with the Mishnaic way. Consequently, attempts were made at the end of the Tannaitic period to collect also these motivated statements and arrange them, since the larger part of the content is Halakic, according

to those Books of the Pentateuch the legal passages of which serve as a basis for the discussions. Accordingly, we have four of such books, called Tannaitic *Midrashim*, as the motivated statements therein were made by *Tannaim*, and the method is that of *Midrash*.

These books are: (1) the *Mekilta*, i.e., literally measures or rules, supposed to have been compiled originally in the school of Rabbi Ishmael (first half of 2nd century); (2) *Sifra* or *Torath Kohanim* (the teachings concerning the sacrifices and the functions of priests) on Leviticus; (3-4) *Sifré*, i.e., books, two collections on the Books of Numbers and Deuteronomy. The last three books emanated from the school of Akiba, the first collected chiefly by Rabbi Judah, and the two latter by Rabbi Simeon ben Yohai, his disciples. A part of these books contain also Agadic statements deduced from the verses in the way of *Midrash*. In addition, there have been discovered of late two minor collections of this type, a *Mekilta* on Exodus compiled by Rabbi Simeon and a smaller *Sifré* on Numbers. All these books as we possess them contain numerous additions from the hands of later editors.

## 9. MIDRASHIM (Agadic)

There are a number of collections of Agadic nature containing diversified matter—homilies, religious and ethical teachings, proverbs, interpretations of historical events, folk legends, and other subjects. Since a great part of the content is based on interpretation of verses of the Bible by the method of *Midrash* they are also *Midrashim*.

These *Midrashim* are likewise arranged on the Books of the Bible. The material contained in them dates from various times. In parts it can even be traced to the early period of the Second Commonwealth, while other parts belong to much later times, as late as the 6th and 7th centuries C. E. The compilation of the books began late, probably not before the 6th century C. E.

There are two principal orders of such *Midrashim*, the



Rabba, i.e., the large one, and the *Tanḥuma*. The former contains two divisions, one on the Pentateuch as follows: (1) Genesis or *Bereshit Rabba*; (2) Exodus or *Shemot Rabba*; (3) Leviticus or *Wayikra Rabba*; (4) *Numeri* or *Bemidbar Rabba*; (5) *Deuteronomy* or *Debarim Rabba*. The second division is on the five Scrolls (Megillot) as follows: (1) *Canticles* (Shir ha-Shirim) *Rabba*; (2) *Ruth Rabba*; (3) *Ekhah Rabba* or Lamentations; (4) *Kohelet Rabba*; (5) *Esther Rabba*. The Scrolls, like the Pentateuch, are read in the synagogue and they were thus likewise a subject of exposition and much of the material was preserved.

The *Tanḥuma* order consists of five books arranged on the Pentateuch only. There are two versions of these books, a shorter and a more elaborate one. The name *Tanḥuma* is given to it because many of the passages or homilies begin with the words: "Said Rabbi Tanḥuma or Rabbi Tanḥuma preached." Rabbi Tanḥuma was a Palestinian *Amora* who lived in the 4th century C. E. and distinguished himself as an Agadist.

#### 10. SHULḤAN ARUK

*Shulḥan Aruk* (The Prepared Table) is the name given to the code written by Joseph Karo (1480–1575). Due to its form, namely, its brevity and decisive character, as well as the authority of the author and the conditions of the time, it became the final and accepted code of Jewry, especially after Moses Isserlis (1520–1572) added his glosses embodying the customs and rules of Franco-German Jewry. It consists of four parts: (1) *Orah Hayyim* (Way of Life) covering laws relating to the religious conduct of the Jew at home and in the synagogue, such as laws of prayer, benedictions, synagogue ritual, and those of the Sabbath and festivals; (2) *Yoreh Deah* (Teacher of Knowledge) dealing with prohibited and permitted things, such as all phases of dietary laws and other subjects which need the advice and decision of a scholar; (3) *Eben ha-Ezer*, embracing all family laws. The

name is a euphemistic one, taken from 1 Samuel III, 13. (4) *Hoshen ha-Mishpat* (Breastplate of Judgment) contains all civil laws in their various phases. This name is taken from Exodus XXVIII, 15, and is also used euphemistically, meaning that its decisions are as correct as those which were given by the High Priest by means of the letters on his breastplate.

## INDEX

### A

- Ab*, meaning of term, 31.  
*Abinu Malkenu*, special group of short prayers, days recited on, 97f.  
*Abot*, Mishnaic tractate, its character, 185.  
*Afikomon*, origin of term and meaning of, 69.  
*Agada*, definition and connotation of, 183; method of, 183; derivation of term, 184.  
*Ahad ha-Am*, on the Sabbath, 28.  
 Akibah, his dicta on man and love of neighbor, 145; views on election of Israel, 149.  
 Alliances, prohibited, 116.  
*Amidah*, name of prayer of Eighteen Benedictions, character of, 88; of Sabbath *Amidah*, 93, 94; of Festival, 96; Rosh ha Sahanah, 97.  
*Amoraim*, term for post-Mishnaic scholars, 187; activity of, 187.  
 Amos, view of exile of, 11; on history, 141f; on election of Israel, 148.  
 Animals, clean and unclean, 108; signs of distinction, 108f.  
 Ashi, redactor of Babylonian Talmud, 186.  
 Attributes, divine, 136f; ethical character of, 137.

### B

- Bar Mitzvah, ceremony of, 118f.  
*Bedikat Homez*, meaning and ceremonies of, 62f.  
 Ben Asai, on elemental worth of man, 145f.  
 Benedictions, occasional, 103f.  
*Birkat ha-Mozon*—see Grace after meals.  
 Breasted, J. H., Egyptologist, on origin of monotheism, 6f.

### C

- Calendar, Jewish, 79ff; establishment of, 80; features of, 80f.  
 Creation, story of in Genesis of monotheistic character, 7; follows from conception of one God, 14; creation from nothing secondary dogma, 139; moral purpose of, 140.

### D

- Day of Atonement, 47ff; nature of affliction on, 48; number of services on, 48; confessional recited on, 98; character of services, 98.  
 Day of Judgment, change in conception of, 162.  
 Dietary laws, 108ff, 111ff.  
 Divorce, conditions for granting, 123; rules for writing bills of, 123f; remarriage after divorce, 124f.  
 Duties, of parents, 128; of children, 128f.

### E

- Education, of adults, 99.  
 Election of Israel, 14; nature and character of, 15, 147f; relation of to the law, 15, 148.  
*Erub*, function of, 34ff; derivation of term, 35; *Erub Tehumim*, 35; *Erub Tabshilin*, device of, 72.  
 Exile, relation of idea to monotheism, 10ff; to providence, 11; factor in Israel's history, 16.  
 Ezekiel, prophet, view of holiness of God, 138; his doctrine of the eternity of Israel, 150; view of responsibility of individual, 153; on *Teshubah*, 166.



## F

- Family, place of in Judaism, 113; conception of in Bible and Talmud, 114.  
 Fast days, number of, 77.  
 Festivals, types of work permitted on, 71.  
 Fifteenth of Shebat, festive character of, 75; origin of character, 76.  
 Foods, Kosher, preparation of, 109ff.  
 Four cups of wine drunk at the Seder, purpose and reason of, 68.  
 Four plants, use of on Succot, 54f; size and shape of, 55f.

## G

- Gershom, Rabbi, ordinance of against polygamy, 115; regarding divorce, 123.  
 God, conception of in Judaism, 133f; active being and personality, 134; names of, 135; ethical character of personality of, 137; archetype of moral conduct, 139.  
 Grace, after meals, parts of, 104f.

## H

- Habakkuk, prophet, on prosperity of wicked, 156.  
*Habdalah*, ceremony of, 38f.  
*Haftorah*, character of, 101.  
*Hagadah*, recited at Seder, 65; contents of, 66f.  
*Hakofot*, meaning of, 59.  
*Halah*, derivation of name, 40.  
*Halakah*, definitions of term, 183; derivation of, 183.  
*Halizah*, ceremony of, 127.  
*Hallel*, days recited on, 96f.  
 Hanukkah, ceremony of lighting candles on, 72f; other marks of distinction and various customs of, 73; assumed importance in modern times, 73.  
*Haroset*, meaning of term, 67.  
 Henotheism, meaning of, 6 note 1.  
 Hillel, view of school of on divorce, 123.  
 Hillel the Second, establishes calendar, 80.  
 History, prophetic view of, 141.  
*Hol ha-Moed*, character of, 52f, 72.  
 Holiness, divine, 138; human, 139.

- Homez*, meaning of, 61; rules against use on Passover, 61ff; device for sale of before Passover, 62.  
 Hosea, prophet, contribution of to prophetic teaching, 148f.  
*Hoshannah*, meaning of, 57.  
*Hoshannah Rabba*, ceremonies of the day, 56f; origin of name, 57.

## I

- Israel, election of, 17, 147; nature of election, 147f; eternity of, 18, 150; mission of, 149.  
 Isaiah, use by of divine title Holy One of Israel, 138; his view of relation of sin and punishment in history, 142f; of destiny of Israel, 149f; of reward and punishment, 152f; on universal peace, 173f.

## J

- Johannan ben Zakkai, ordinance of, 55.  
 Jeremiah, view of destiny of Israel, 150; his doctrine of individual responsibility, 153; view on prosperity of wicked, 156.  
 Jonah, book of, teaches value of repentance for all humanity, 167.  
 Judaism, indigenous to Jewish people, 4; relation of to life of people, 5; development of in post-exilic period, 19ff; unique character of, 22, 24; its all embracingness, 24.

## K

- Kabbalat Shabbat*, introductory part to Friday night service, character of, 93.  
*Kadish*, the place of in the service, 91; elements of, 91; reason for recitation by mourners, 92; Kadish d'Rabanan, 92.  
*Karet*, meaning of term, 60 note.  
*Karmilit*, definition of term, 33.  
*Karpas*, meaning of ceremony of, 68.  
*Kedushah*, part of *Amidah*, contents of, 90.  
*Ketubah*, marriage contract, its conditions, 119f.  
*Kiddush*, performance of ceremony of, 38.

*Kol Nidre*, ceremony of, 48f; versions of, 50; limitation of its effectiveness, 51; melody of, 51.

L

Labor, high value placed on in Bible, 177f; in Talmudic literature, 178f; place in Jewish life, 178ff; labor laws, 179f; rules affecting contractors, 180.

*Lag B'Omer*, character of day, 76; probable origin of, 76ff.

Law, the, reading of, 98ff; days read on, 99ff; differences in manner of reading of, 100; number of persons called to reading of, 101f.

Laws, of nature and of morality, 142.

Life, human, dignity of, 136.

M

*Maarib*, evening service, parts of, 91.  
*Maaser* (tithes), classes of, 76 note 11.

Maimonides, his view on Messianic days and *Olam ha-Ba*, 165; on Repentance, 167 note. See also Reward and punishment.

Majority age, attainment of by females, 116; by males, 117f;—see also Bar Mitzvah.

Man, position of in Judaism, 145ff; created in image of God, 145; dignity and worth of, 145f; equality of man implied in manner of creation, 146.

*Maot Hittim*, significance of custom of, 69.

Marital life, continence in, 121.

Marriage, value and sanctity of, 113f; monogamy, 114f; status of females regarding marriage during minority, 116; of males, 117; ceremony of, 119f; levirate marriage, 125f.

Matzah, obligation to eat minimum amount of, 63; preparation of, 63.

Meat, salting of, 111.

*Megillot*, reading of in synagogue, 103.

Messianism, phases of, 17; as solution to problem of suffering of Israel, 159f; spiritual nature of in Isaiah, 160; personal Messiah, 160;

two elements in, 161; development of idea of during Second Commonwealth, 162ff.

*Mezuzah*, purpose and contents of, 107f.

*Midrash*, method of interpretation of the Law, 183; used also in Agada, 183f, 187.

*Midrashim*, Tannaitic, number and character of, 188; Agadic, 188f; divisions of, 189; Tanhuma *Midrashim*, 189.

*Mikveh*, ritual bath, rules of, 122.

*Minhah*, afternoon service, contents of, 91.

Mishnah, definition of term, 184; its six orders and their division, 184f; number of tractates in, 185; derivation of term, 185.

Monotheism, foundation of the life of the Jewish people, 7; proofs for antiquity of belief in Israel, 9ff; relation to providence, 14; election of Israel corollary of, 14.

*Moror*, bitter herbs, symbolic significance and ceremony of, 67.

Mourning, laws of, 129f.

*Muktze*, definition of term, 36; rules of, 37.

*Musaf*, additional service, on Sabbath, holidays and Rosh Hodesh, 94, 95, 96.

N

Nature, view of in Judaism, 135f.

Nine Days, custom of mourning in, 78.

O

*Olam ha-Ba*, world to come, rise of the idea, 162; resurrection in, 163; all Jews participate in, 164; character not determined, 164.

Omer, ceremony of, 70.

Oral Law, belief in, 170; development of, 182; method of, 183.

P

Peace, universal peace pronounced by Isaiah, 173f; as an ideal in the Bible, 174; in Talmudic literature, 175f; importance of in the family, 177; prayer for, 177.

Personality, integration of attained by religion, 1.

Prayer, in Biblical times, 83; establishment of institution of, 84; prayer organized into system, 85; Sefardic and Ashkenazic forms of prayer, 86; week day prayers, 87ff; Sabbath prayers, 93ff; festivals, 96f; High Holidays, 97f.

Prayer Books, compilation of by Gaonim, 85; by Rashi, 86; by Simha of Vitri, 86; printed editions of, 87 note.

Precepts, number of Biblical, 182; Rabbinical, 183.

Providence, divine, emphasis on in Bible, 140f; purposive and ethical, 141; of the individual, extent of, 143.

Purim, reading of the scroll on, 74; exchange of gifts and Seudah on, 74; influence of on literature, 74.

## R

Religion, definition of, 1ff; definition of standard type of, 2; relation of to the life of the group, 3.

Resurrection, development of belief in, 163f; incorporated in daily prayers, 164.

Reward and punishment, 151ff; nature of in the Bible, 151f; of the individual, 153; reconciliation of contradictory views on in Penta-teuch, 154; in the hereafter, 157f; nature of such punishment, 158f; Maimonides' and Nahmanides' views on, 159.

Rosh ha-Shanah, New Year's day, early origin of, 42ff; symbolic ceremonies performed on, 46.

Rosh Hodesh (first day of month), distinguished by special service, 75.

## S

Saadia Gaon, compiles prayer book, 85.

Sabbath, the, institution of Jewish origin, 27f; symbol of human equality and dignity, 28f; types of labor prohibited on Sabbath, 30ff;

classes of, 30f; labors prohibited by Rabbinical ordinance, 31f; carrying on of burdens, 33ff; permissible violation of in case of sickness, 37; sanctification of, 38ff; study on the, 40f. See also prayers.

*Sefirah days*, meaning of term, 70; extent of and custom of mourning on, 78.

*Shabbat Hazon*, gloomy aspect of, 78.

*Shabuot*, festival of, 70ff; meaning of name and earlier aspect of, 70; later spiritual aspect of, 71.

*Shebut*, definition of term, 31.

*Shemini Azeret*, festival of, 52; ceremonies of, 57f; special prayer for rain on, 58.

*Shulhan Aruk*, code of Joseph Karo, parts of, 189; contents of parts of, 189f.

Simha of Vitri, compiles prayer book, 86.

*Simhat Torah*, name of last day of Succot, ceremonies of, 59.

Sin and Punishment, relation to each according to the prophets, 142.

Soul, belief in immortality of in Biblical times, 155f; in later times, 156; Sadducean conception of, 157 note.

*Succah*, rules governing its construction, 53f.

*Succot*, festival of, 51ff; double aspect of, 52; ceremonies of, 53f.

## T

*Taharat ha-Mishpaha*, meaning of term, 122.

*Tashlikh*, ceremony of, 47.

Talmud, definition of, 186; character of, 186; two Talmuds, 186; redaction of Babylonian and Palestinian Talmuds, 187; number of tractates in each, 187.

*Tannaim*, name given to scholars of Mishnaic period, 185; activity of, 185.

*Tefilin*, phylacteries, contents of, 106.

*Terefah*, meaning of term and rules governing its pronouncement, 109f, 111f.



*Teshubah* (repentance), consists in change of heart, 166f; place in Judaism, 167; limitation of efficacy of, 168.

*Teshubot ha-Mishkal*, meaning of term, 169.

*Tisha b'Ab*, fast day, character of, 77.

*Torah*, unique character of conception of, 169f; *Torah mtn ha-Shamayyim*, meaning of term, 170; Torah served as a final cause for creation of world and as a pattern, 171; study of center of Jewish life, 171; as an aim in itself, 171; position of the scholar in Jewish life, 173.

Tradition, Jewish, source of understanding nature of Judaism, 5.

## V

Vows, annulment of, 49f.

## W

Woman, position of in Judaism, 120f; conduct of married woman, 121.

## Y

Year, Jewish, number of full and defective months in, 80f; order of months, 82 note; number of months in leap year, 82.

## Z

*Zizit* (fringes), ceremony and rules for performance of, 105f.

*Zugot*, name for scholars who headed the High Court, 183.



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